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Thursday, August 11, 1960
Sravana 20, 1882 (Saka)

LOK SABHA DEBATES

Eleventh Session
(Second Lok Sabha)

सत्यमेव जयते

LOK SABHA SECRETARIAT

New Delhi

CONTENTS

[Second Series, Volume XLIV, August 1 to 12, 1960/Sravana 10 to 21, 1882 (Saka)]

No. 1.—*Monday, August* 1, 1960/*Sravana* 10, 1882 (*Saka*)—

COLUMNS

Oral Answers to Questions—
Starred Question Nos. 1 to 10 and 12 to 17 — 1—38
Written Answers to Questions—
Starred Questions Nos. 11 and 18 to 35 — 38—50
Untarred Questions Nos. 1 to 13 and 15 to 77 — 50—94
Obituary references — 95-96
Motions for Adjournment — 96—137
1. General Strike of the Central Government employees; — 96—107
2. Situation in Assam; and — 107—34
3. Notification containing President's direction on official language — 134—37
Papers laid on the Table — 139—45
President's assent to Bills — 145—46
Statement re: The Naga Hills and Tuensang area — 146—57
Statement re: Mahendra Pratap Singh Estates (Repealing) Bill — 157-58
Statement re: major Railway accidents — 158
Election to Committees—
1. Central Advisory Committee for the National Cadet Corps; — 158—59
2. Coir Board — 159—60
Rubber (Amendment) Bill—Introduced — 160
Delhi Land Holdings (Ceiling) Bill, as reported by Joint Committee — 160—248
Clauses 2 to 10 — 160—248
Daily Digest — 249—58

No. 2—*Tuesday, August* 2, 1960/*Sravana* 11, 1882 (*Saka*)—

Oral Answers to Questions—
Starred Questions Nos. 36 to 44 and 47 to 50 — 259—95
Written Answers to Questions—
Starred Questions Nos. 45, 46 and 51 to 72 — 296—312
Unstarred Questions Nos. 78 to 149 — 312—58
Papers laid on the Table — 359—63
Correction of answers to Starred Questions Nos. 1308 and 1815 — 363-64
Statement *re*: Indo-Pakistan Canal water dispute — 364
Detention of a Member — 364—65
Delhi Land Holdings (Ceiling) Bill, as reported by Joint Committee — 365—423
Clause 11 to 28 and 1 — 365—423
Motion to pass, as amended — 423
Manipur Land Revenue and Land Reforms Bill, — 423—488
Motion to consider, as reported by Joint Committee — 423—79
Clasue 2 to 170 and 1 — 479—488
Motion to pass, as amended — 488
Tripura Land Revenue and Land Reforms Bill — 488—98
Motion to consider, as reported by Joint Committee — 488—98
Daily Digest — 499—506

No. 3—Wednesday, August 3, 1960/Sarvana 12, 1882 (Saka)

	COLUMNS
Oral Answers to Questions—	
Starred Questions Nos. 73 to 85	507—44
Written Answers to Questions—	
Starred Questions Nos. 86 to 125	544—69
Unstarred Questions Nos. 150 to 242	569—628
Correction to Answer of U.S.Q. No. 1700 dated 2-4-60	628
Papers laid on the Table	629—36
Business Advisory Committee—	
Fifty-Second Report	636
Committee on Private Members' Bills and Resolutions—	
Sixty-fifth Report	636
Calling Attention to Matter of Urgent Public Importance—	
Finance Minister's tour abroad	636—38
Correction of Answer to Starred Question No. 1484	638-39
Tripura Land Revenue and Land Reforms Bill	639—62
Motion to consider, as reported by Joint Committee	640—60
Clause 2 to 199, Schedule and Clause 1	661—62
Motion to pass	662
Motor Transport Workers' Bill	663—725
Motion to refer to Joint Committee	663—725
Tripura Municipal Law (Repeal) Bill—Passed	725—27
Religious Trusts Bill	728—35
Motion to refer to Joint Committee	728—35
Motion re: Democratic Decentralisation	735—94
Daily Digest	795—806

No. 4—Thursday, August 4, 1960/Sravana 13, 1882 (Saka)

Oral Answers to Questions—	
Starred Questions Nos. 126, 158, 127 to 134 and 136	807—44
Short Notice Question No. 1	844—49
Written Answers to Questions—	
Starred Questions Nos. 135, 137 to 157 and 159 to 162	850—68
Unstarred Questions Nos. 243 to 264 and 266 to 295	868—96
Papers laid on the Table	897—99
Calling Attention to Matter of Urgent Public Importance—	
Anti-Indian propoganda by Mr. Phizo in U.K.	899—915
Banking Companies (Amendment) Bill—Introduced	915
Business Advisory Committee—	
Fifty-second Report	915—16
Religious Trusts Bill	916—1014
Motion to refer to Joint Committee	916—1014
Plantations Labour (Amendment) Bill	1014—24
Motion to consider	1014—24
Daily Digest	1025—30

No. 5—Friday, August 5, 1960/Sravana 14, 1882 (Saka)—

Oral Answers to Questions—	
Starred Questions Nos. 163 to 173 and 175 to 178	1031—69
Written Answers to Questions—	
Starred Questions Nos. 174 and 179 to 199	1069—82

	Columns
Unstarred Questions Nos. 296 to 359	1082—1118
Papers laid on the Table	1118—23
Calling Attention to Matter of Urgent Public Importance—	
Refusal of admission to students in Delhi	1123—28
Correction of Answer to Starred Question No. 489	1129
Business of the House	1129–30
Election to Committee—	
Indian Lac Cess Committee	1130–31
Companies (Amendment) Bill—	
Extension of time for presentation of Report of Joint Committee.	1131
Plantations Labour (Amendment) Bill	1132—50
Motion to consider	1132—44
Clauses 2 to 8 and 1	1144—50
Motion to pass	1150
Rubber (Amendment) Bill	1151—79
Motion to consider	1151—75
Clause 2, 3 and 1	1175—79
Motion to pass	1179
Cotton Transport (Amendment) Bill, as passed by Rajya Sabha—Passed	1179–80
Motion *re*: Report of University Grants Commission	1180–81
Committee on Private Members' Bills and Resolutions—	
Sixty-fifth Report	1181–82
Resolution *re*: Review of the Industrial Policy Resolution—Negatived	1182—1252
Resolution *re*: Ceiling on Income	1253
Discussion *re*: rise in price of Cloth	1253—82
Daily Digest	1283—90
No. 6—*Monday, August* 8, 1960/*Sravana* 17, 1882 (*Saka*)—	
Oral Answers to Questions—	
Starred Questions Nos. 200 to 207 and 209 to 211	1291—1326
Written Answers to Questions—	
Starred Questions Nos. 208 and 212 to 238	1326—42
Unstarred Questions Nos. 360 to 394 and 396 to 436	1342—84
Re: Alleged Breach of Privilege	1385—87
Papers laid on the Table	1388
Public Accounts Committee—	
Thirtieth Report	1389
Delhi Primary Education Bill—	
Report of Joint Committee	1389
Calling Attention to Matter of Uregent Public Importance—	
Circulation of Counterfeit Currency	1389—91
Resignation of a Member	1391
Resolution *re*: Essential Services Maintenance Ordinance and Motion *re*: Strike of some Central Government employees	1391—1536
Discussion *re*: Rise in price of cloth	1536—62
Daily Digest	1563—68

COLUMNS

No. 7—Tuesday, August 9, 1960/Sravana 18, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 239 to 245, 248, 250 to 254, 271 and 255 . . . 1569—1606
Written Answers to Questions—
Starred Questions Nos. 246, 247, 249, 256 to 259 and 261 to 270 . . . 1606—15
Unstarred Questions Nos. 437 to 496 . . . . . 1615—50
Calling Attention to Matters of Urgent Public Importance . 1651—57, 1659—62
1. Closure of Palai Central Bank . . . . . 1651—57
2. Explosion in Chapui Khas Colliery, Raniganj . . . . . 1659—62
Papers laid on the Table . . . . . 1657—59
Statement *re*: Demand for Supplementary Grant (Railways), 1960-61 . . . 1659
Statutory Resolution *re*: Essential Services Maintenance Ordinance (*Negatived*) and Motion *re*: Strike of Some Central Government Employees . . . 1662—1800
Daily Digest . . . . . 1801—06

No. 8—Wednesday, August 10, 1960/Sravana 19, 1882 (Saka)—

Oral Answers to Questions—
Starred Questions Nos. 273, 274, 277 and 279 to 286 . . . . . 1807—41
Written Answers to Questions—
Starred Questions Nos. 272, 275, 276, 278 and 287 to 316 . . . . . 1841—61
Unstarred Questions Nos. 498 to 565 . . . . . 1861—1902
Re: Motion for Adjournment . . . . . 1903—10
Papers laid on the Table . . . . . 1910—11
Statement *re*: Demands for Excess Grants, 1957-58 1911
Committee on Private Members Bills and Resolutions—
Sixty-sixth Report 1911
Calling Attention to Matter of Urgent Public Importance—
Delhi Milk Scheme . . . . . 1912—14
International Development Association (Status, Immunities and Privileges) Bill—
Introduced 1915
Taxation Laws (Amendment) Bill . . . . . 1915—77
Motion to consider . . . . . 1915—77
Motion *re*: Report of the Department of Atomic Energy . . . . . 1977—2019
Correction of Result of Division 2020
Daily Digest . . . . . 2021—26

No. 9—Thursday, August 11, 1960/Sravana 20, 1882 (Saka)—
Oral Answers to Questions—
Starred Questions Nos. 317 to 321, 323 to 327 and 329 . . . . . 2027—61
Short Notice Question No. 2 . . . . . 2061—66
Written Answers to Questions—
Starred Questions Nos. 322, 328 and 330 to 349 . . . . . 2066—78
Unstarred Questions Nos. 566 to 637 . . . . . 2078—2122
Motion for Adjournment—
Reported spread of tetanus in Delhi . . . . . 2123—26
Resignation of a Member 2126
Papers laid on the Table . . . . . 2126—30
Statement *re*: Famine conditions in Darbhanga and Muzaffarpur district . . 2130—32
Taxation Laws (Amendment) Bill . . . . . 2132—2210
Motion to consider . . . . . 2132—2200

	Columns
Clauses 2 to 13 and 1	2200—10
Motion to pass	2210
Banking Companies (Amendment) Bill	2210—34
Motion to consider	2210—34
Clauses 1 and 2	2234
Motion to pass	2234
Motion *re*: Report of University Grants Commission	2235—58
Daily Digest	2259—66

No. 10—*Friday, August* 12, 1960/*Sravana* 21, 1882 (*Saka*)

Oral Answers to Questions—	
Starred Questions Nos. 350 to 354 and 356 to 361	2267—2304
Written Answers to Questions—	
Starred Questions Nos. 355 and 362 to 391	2305—25
Unstarred Questions Nos. 638 to 716	2325—73
Re: Motion for Adjournment—	
Palai Central Bank	2373—79
Re: Motion of Privilege	2380-81
Papers laid on the Table	2381
Messages from Rajya Sabha	2382-83
Bills passed by Rajya Sabha laid on the Table	2383
(i) The Evacuee Interest (Separation) Amendment Bill, 1960	2383
(ii) The Agricultural Produce (Grading and Marking) Amendment Bill, 1960	2383
(iii) The Drugs (Amendment) Bill, 1960	2383
(iv) The Press and Registration of Books (Amendment) Bill, 1960	2383
Public Accounts Committee—	
Twenty-ninth Report	2383
Calling Attention to Matter of Urgent Public Importance—	
Accident in Hindustan Coal Mine, Talcher	2384—87
Business of the House	2387—90
Election to Committees	2390-91
(i) Coffee Board	2390
(ii) Rubber Board	2390-91
Motion *re*: Report of University Grants Commission	2391—2483
Committee on Private Members' Bills and Resolutions—	
Sixty-sixth Report	2484
Bills introduced	2484—87
1. National Monuments Commission Bill by *Shri Narasimhan*;	2484-85
2. Converts Marriage Dissolution Bill *by Shri Prakash Vir Shastri*;	2485
3. Restrictions on Edible Oils (For Manufacture of Soap) Bill *by Shri Jhulan Sinha*;	2485—86
4. Defence Forces Provisions Bill *by Shri Jhulan Sinha*;	2486
5. Restoration of Places of Religious Worship Bill by *Shri Prakash Vir Shastri*;	2486—87
6. Indian Institute of Archaeology Bill *by Shri Narasimhan*	2487
Ceilings on Salary (in Private Sector) Bill by *Shri A.M. Tariq.*—Withdrawn	2488—2546
Motion to circulate	2488
Social Customs (Curtailment of Expenditure) Bill *by Shri Jhulan Sinha*	
Motion to circulate	2547—48
Business Advisory Committee—	
Fifty-third Report	2548
Daily Digest	2549—56

N.B.—The sign + above a name of a member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

GMGIPND—LS II—755 Ai LS—22-8-60—950.

LOK SABHA

Thursday, August 11, 1960/Sravana 20, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

छात्रावासों के निर्माण के लिये ऋण

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*३१७. { **श्री राम कृष्ण गुप्त :**
श्री म० ला० द्विवेदी :
श्री प्र० के० देव :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या छात्रावासों के निर्माण के लिये ऋण देने के बारे में सरकार द्वारा बनाई गई योजना में कोई संशोधन किया गया है ; और

(ख) यदि हां, तो इस संशोधन का मुख्य उद्देश्य क्या है ?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir. Under the revised scheme, loans have been made interest-bearing and are advanced to State Governments for being relent to educational institutions.

(b) To avoid any hidden subsidy from public funds and to improve implementation of the scheme.

Shri Ram Krishan Gupta: What is the precise and exact revised scheme? How far has it facilitated the advancement of loans?

Dr. K. L. Shrimali: This scheme is very simple. Formerly, the Central Government used to give loans without interest. This was objected to by the Finance Ministry and also the Estimates Committee. Finance Ministry recommended that hidden subsidy should not be given. Therefore, we are now giving loans with interest. But in deserving cases we also give grants. Therefore, there is no difference, so far as deserving institutions are concerned. Another change which has been made is that instead of the Central Government giving direct loans to the institutions we are now placing the funds at the disposal of the State Governments and they will recover the loans and advance loans. In this way the scheme would be more speedily executed.

Shri Ram Krishan Gupta: What is the rate of interest charged?

Dr. K. L. Sharimali: The rate of interest is the normal rate.

श्री विभूति मिश्र : मैं जानना चाहता हूं कि सरकार ने सिर्फ कालेज के होस्टेल्स के लिये ही लोन दिया है या हायर सेकेन्डरी स्कूल्स, मिडल स्कूल्स और प्राइमरी स्कूल्स के लिये भी दिया है ?

डा० का० ला० श्रीमाली : हम सब तरह की संस्थाओं के लिये लोन्स देते हैं, कालेजों के होस्टेल्स के लिये भी, युनिवर्सिटी होस्टेल्स के लिये भी और स्कूलों के होस्टेल्स के लिये भी ।

सेठ गोविन्द दास : भिन्न भिन्न सरकारों को जो कर्ज इस संबंध में दिये जाते हैं उस में से किन किन सरकारों को कितना कितना रुपया दिया गया है, विशेषकर मध्य प्रदेश की सरकार को ?

Dr. K. L Shrimali: There is a provision of nearly Rs. 45 lakhs in the

capital demand for 1960-61. Would the hon. Member like to know the figures for all the States or he wants only for Madhya Pradesh.

सेठ गोविन्द दास : सब के बारे में ।

Dr. K. L. Shrimali: Rs: 5.27 lakns has been given in Madhya Pradesh to the educational institutions.

Shrimati Renu Chakravartty: May I know whether in the allocation for hostel building a part of it is specially allocated for building hostels for women, especially in the secondary stage?

Dr. K. L. Shrimali: I may inform the hon. Members that as far as hostels for women's institutions are concerned, both the Education Ministry and the University Grants Commission have special schemes. Under those schemes we are now giving 75 per cent of grant. They can also take loans. But in order that more hostels may be put up we are giving 75 per cent of grant for the construction of hostels both for the collegiate stage as well as for the high school stage. For the school stage we have recently written to the State Governments to let us have the names of the institutions which they would like to recommend for such grants.

सेठ गोविन्द दास : मंत्री जी बाकी के राज्यों के बारे में भी बतला रहे थे ।

Maharajkumar Vijaya Anand: Is there any scheme with the Government to allow private citizens to construct hostels to remove congestion?

Dr. K. L. Shrimali: Private citizens are always welcome to contribute and help in the construction of hostels. There is no bar.

Shri Tangamani: May I know whether it is a fact that interest-free loans were given to certain high schools in Madras and, if so, whether interest would be recovered from them?

Mr. Speaker: If it is an interest-free loan where is the question of recovering interest?

Shri Tangamani: Under the original scheme interest-free loans were given to them. Now, according to the revised scheme, the hon. Minister stated that certain interest is recovered. What is the position of the loans which were already promised and, in some cases, already advanced? What would be the position of those schools which were benefited under the original scheme?

Dr. K. L. Shrimali: We are not going into the past loans. In some cases they have been asked to pay interest also. But if the institution does make an application and say that it is difficult for it to pay interest then we repay in the form of a grant. They will have to pay interest but Government pays it back in the form of grant so that the institution is not hit in any way.

Shri M. R. Krishna: May I know whether this loan for construction of hostels is given on any specific demand from the State Government or is it given according to any other formula? Is any weightage given to the rural areas, particularly the areas which are very backward educationally?

Dr. K. L. Shrimali The State Governments will have to exercise their discretion.

Shri B. K. Gaikwad: May I know whether Government have framed any rules in this respect? If so, how much is the maximum amount to be granted to each institution?

Dr. K. L. Shrimali: Formerly, the Central Government used to consider these applications. But, as I said, we will make some sum available to the State Governments and it is for the State Government to decide how much loan they want to advance and when they want to recover.

Shri Jaipal Singh: Could we know whether any of the well-known and recongnized institutions catering for accommodation for students have availed of this facility?

Dr. K. L. Shrimali: I do not know the extact number, but this scheme has been very popular. There is a very great demand. I am glad also to inform the House that the institutions whih took loans have also been making repayments more or less regularly.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि केन्द्रीय सरकार ने राज्य सरकारों से मिल कर इन होस्टलों के रख रखाव के लिये भी कोई व्यवस्था की है ? और यदि की है तो कितना केन्द्रीय सरकार देगी और कितना प्रदेश सरकारें देंगी, और दूसरे राज्यों को कितना रुपया आप देंगे ?

डा० का० ला० श्रीमाली : जहां तक मेंटेनेंस का सवाल है, केन्द्रीय सरकार इस मसले को नहीं देख सकती। यह स्टेट गवर्नमेंट्स और जो युनिवर्सिटीज या दूसरी एजेंसीज हैं, उन को देखना पड़ेगा। यह तजवीज नये होस्टेल्स के बनाने के लिये है।

श्री म० ला० द्विवेदी : अध्यक्ष महोदय मेरे प्रश्न का उत्तर नहीं मिला।

अध्यक्ष महोदय : मिलेगा।

Shri Basappa: May I know whether this loan is given for staff quarters and whether there is any condition that the State Government should give a matching grant?

Dr. K. L. Shrimali: This is for hostels only.

Shri Harish Chandra Mathur: What is the basis for allocation to the various States and what weightage is given to the educationally backward States?

Dr. K. L. Shrimali: Out of the total fund which was with us we have been advancing to the State Governments. Now, in the last year of the Plan some funds were left over which have been distributed to all the States, and special attention has been given to States which had not received loans in the previous years. It is on that basis that new allocations have been made.

Shri Harish Chandra Mathur: What weightage is given to the educationally backward States in the distribution of money?

Dr. K. L. Shrimali: No special weightage is given.

Shri S. R. Arumugham: While it is an interest free loan, will the Government have watch on the institutions in regard to collection of rent from the students because some of the institutions charge high rates in the form of room rents?

Dr. K. L. Shrimali: It is very difficult for the Central Government to watch over the management of these hostels which are spread all over the country. I have informed the House that loans have been advanced to the States, who will advance that to the individual institutions. I have also told the House that there is great demand for hostels and many of the students staying outside the hostel are living in miserable conditions. The facilities which they get in the hostels are much better than what they could get if they were outside the hostels.

Shri R. S. Arumugam: May I know whether any Harijan hostels are run by getting money under this scheme? Is there any proposal to give them grants instead of loans?

Mr. Speaker: He wants grants to be made to Harijan hostels.

Dr. K. L. Shrimali. That hardly arises out of this question.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि केन्द्रीय सरकार ने किन किन राज्यों को कितना कितना रुपया दिया है, और इसके वितरण की व्यवस्था किस तरह से की गयी है, उसके लिये क्या सिद्धांत बनाया गया है ?

अध्यक्ष महोदय : अलग से प्रश्न पूछें । There is no meaning in asking for details here.

श्री म० ला० द्विवेदी : मेरा मूल प्रश्न भी यह है, और यह प्रश्न इसी से संबंध रखता है कि किन किन राज्यों को कितना कितना रुपया दिया गया है ?

अध्यक्ष महोदय : लेकिन इतनी डिटेल नहीं दी जा सकती ।

श्री म० ला० द्विवेदी : तो उसको सदन पटल पर रख दें ।

Mr. Speaker: Has the hon. Minister got the details?

Dr. K. L. Shrimali: For this year I can give the details.

Mr. Speaker: For all the fourteen States?

Dr. K. L. Shrimali: For some States, not for all of them.

Mr. Speaker: If the hon. Member is interested in any particular State, let him ask for the information.

Dr. K. L. Shrimali: Sir, I will place a statement giving information about the total amount that has been advanced and the allocations for which have been made for this year on the Table of the House.

Mr. Speaker: Let him place it on the Table.

Shri Raghunath Singh: May I know the amount advanced to Uttar Pradesh and the Hindu University and the Aligarh University?

Mr. Speaker: The hon. Member will look into the list.

Central Institute of Education, Delhi

*318. **Shri A. M. Tariq:**
Shri Ram Krishan Gupta:
Sardar Iqbal Singh:
Shri D. C. Sharma:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 372 on the 24th February, 1960 and state:

(a) whether financial examination of the proposals for reorganisation of the Central Institute of Education, Delhi as a National Centre for Educational Research has been completed; and

(b) if so, the further steps taken in the matter?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir, and it has been decided to merge the Central Bureaus of Textbook Research and Educational and Vocational Guidance with the Central Institute of Education, Delhi.

(b) Administrative steps are now being taken to effect the merger.

Shri A. M. Tariq: How much time will it take to merge these two institutions together?

Dr. K. L. Shrimali: It won't take very long now.

Shri D. C. Sharma: May I know if this Institute will be entrusted with the work relating only to the departments of textbook research and educational and vocational guidance, or there will be other subjects also in which it will carry on research?

Dr. K. L. Shrimali: The proposal is to reorganise the whole Central Institute of Education and make it a real centre of educational research. With that object in view separate departments are beign merged, and in the future there is also a proposal to reorganise the whole institution.

Shri Ram Krishan Gupta: The hon. Minister said just now that administrative steps are being taken to merge the two Institutes. May I know, after the merger of these two Institutes, how far this will increase the research work?

Dr. K. L. Shrimali: Naturally, if there is better co-ordination there will be better research.

Shri D C. Sharma: May I know what are the specific items of research which will be entrusted to this reorganised institution and whether it will be confined only to those two departments or extended to other items also?

Dr. K. L. Shrimali: The Central Research Advisory Committee which went into this question recommended that there should be the following five departments, namely, department of teacher training, department of research and education, department of psychology, department of text book of search and department of educational and vocational guidance. As I said, the whole question of the reorganisation of this Institute is under consideration. After this merger has taken place, necessary steps will be taken and further examination will be made as to the way in which the further improvement should take place.

Shri S. C. Samanta: May I know what sort of educational researches were so long being carried on and whether the students passing from this institution have to submit any research paper?

Dr. K. L. Shrimali: For M.Ed. they have to submit some kind of thesis, and various kinds of research papers have been produced by the students and the staff of this Institute. The subjects dealt mostly with applied education.

Criteria for Determining Backward Classes

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*319. **Shri Ram Krishan Gupta:**
Shri Rameshwar Tantia:
Sardar Iqbal Singh:
Shri D. C. Sharma:
Shri Agadi:
Shri Shankaraiya:
Shri Hem Barua:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 573 on the 3rd March, 1960 and state the latest position in regard to fixing the criteria for the determination of backward classes?

The Minister of Home Affairs (Shri G. B. Pant): The State Governments have their lists of Other Backward Classes which they are following for the purposes of their Schemes. The Central Government have examined the various aspects of this problem and are giving further careful thought to this question.

Shri Ram Krishan Gupta: In reply to the previous question the hon. Minister stated that there was great difference among the members and the Centre and the States. May I know what are the exact differences and what steps are being taken with a view to evolve a uniform principle in this regard?

Shri G. B. Pant: The States have got their lists mainly based on castes. This House and the Central Government have decided that castes should not be recognised for any official or governmental purposes. The State Governments find it difficult to disturb their lists or to change them substantially as they feel, perhaps, that some of those who are enjoying the benefits today would thereby be deprived of such benefits and may have a grievance. And there was a sharp divergence of opinion within the Commisison itself, and the Chairman of the Commission in his forwarding letter had strongly emphasised that any recognition of caste for this purpose would only perpetuate the system and hamper the growth of an egalitarian society.

Shri Ram Krishan Gupta: In view of this fact may I know whether this strong view of the House has been put before the State Governments and what their reaction to it is?

Shri G. B. Pant: It was put to the State Governments. They agree in theory but find it difficult to put it in practice.

Shri D. C. Sharma: May I know if the Central Government is going to adopt any method or any device to

see that the criterion for backwardness is not caste but economic considerations?

Shri G. B. Pant: I am giving thought to that matter.

Shrimati Renuka Ray: In view of the fact that some of the State Governments have themselves suggested an economic criterion for backwardness—for instance, Bombay did so—, have at least those Governments started implementing this? The Bombay Government had made this suggestion.

Shri G. B. Pant: The Bombay Government have adopted an economic principle, so to say, for giving stipends etc. But I am not sure if they have altogether dropped the lists of backward classes or have withdrawn the privileges that the classes entered in those lists have been enjoying in the past. But I appreciate the suggestion made and think that an economic criterion would perhaps be very desirable.

श्री रामेश्वर टांटिया : राजस्थान में नाइयों और मालियों को बैकवर्ड क्लासेज माना गया है जब कि उनकी आमदनी दूसरी कई जातियों से जिनको बैकवर्ड क्लास में नहीं माना गया है बहुत ज्यादा है । इस हालत में क्या केन्द्रीय सरकार स्टेट्स को इस बारे में कुछ हिदायत देगी कि इस चीज को फिर से सोचा जाये ?

श्री गो० ब० पन्त : इस मामले में स्टेट गवर्नमेंट्स के ऊपर सेंट्रल गवर्नमेंट कोई हिदायत लाद नहीं सकती । मगर राजस्थान लेजिस्लेचर और राजस्थान के लोग जो सही बात है उसे उनसे करवा सकते हैं ।

Shri Ramanathan Chettiar: May I know whether the Mysore Government had declared all the communities except one as backward and this was held by the High Court of Mysore as a wrong order and, if so, what is the latest position in regard to this?

Shri G. B. Pant: I think the statement made by the hon. Member is substantially correct and the Mysore Government have I think, since, appointed a committee to reconsider the position.

Shri Thanu Pillai: In view of the fact that the Central Government have agreed to have the economic condition as the criteria for backwardness, will they apply that in the grant of scholarship and other aids to the students in the States?

Shri G. B Pant: If those criteria are suggested, I hope the States will be good enough to give some thought to them.

Shri Ranga: In view of the fact that their backwardness is perhaps more due to the socially backward conditions of a large number of village artisans and other people, and in view also of the fact that several States are anxious to continue the present facilities that they have been providing for the socially backward caste people also, would the Government consider the advisability of leaving it to the States to pursue their policy.

Shri G. B. Pant: I have already stated that we cannot impose anything on the States whatever be our own wishes.

Shri Balakrishnan: Is this criterion considered even in the case of Scheduled Castes?

Shri G. B. Pant: No Scheduled Castes belong to a different category altogether.

Shri Hem Raj: May I know the number and names of the States which have fallen in line with the view taken on this issue by the Central Government?

Shri G. B. Pant: The Central Government have not taken any definite view that caste should not be recognised. In so far as I am aware, Bombay has adopted the economic criterion. But, that is not perhaps the only criterion that they have introduced. The other States, I think, are still maintaining their old lists. They

find it difficult to depart from them lest they should give some cause for dissatifaction to those who have had the benefit of facilities and assistance that has been given to them so far.

Shri Basappa: May I know whether recently the Government of Mysore has changed the list of backward classes and this has created a lot of opposition there?

Shri G. B. Pant: I just said that as a result of the report of the Committee that was appointed, some changes have been made. Whenever changes are made, howsoever desirable and right the changes may be, those who do not derive any benefit or who thereby forfeit some advantage which they may have been enjoying whether rightly or wrongly, do not feel very happy over it.

Shri B. K. Gaikwad *rose*—

Mr. Speaker: Scheduled Castes are exempted.

Shri B. K. Gaikwad: I am not asking about Scheduled Castes. May I know whether the Government are going to consider the backwardness of the backward communities on grounds of educational, economic and social conditions?

Shri G. B. Pant: The whole effort of the Government is directed towards the raising of the standard of life of the common man in the country. At the time when the Government accepted the socialist pattern of society as its goal, it obviously decided to take steps that would tend towards the achievement of that purpose.

Shri Tyagi: In view of the fact that those who are better off amongst the backward classes, being vocal, monopolise a substantial part of the benefits which are offered to the backward classes and the deserving ones remain deprived of them, have such instances come to the notice of the Government?

Shri G. B. Pant: Many things have come to the notice of the Government. That may be one of them.

Shri Harish Chandra Mathur: What is done in the Centrally administered areas may be a guide.

Mr. Speaker: The hon. Member wants to know what lead the Central Government has given. It has got its own Centrally administered areas. What has it done? That is the question.

Shri G. B. Pant: So far as the Centrally administered Areas are concerned, they also are following their own lists because we have not yet prescribed any very definite policy. We have been in constant touch with the States in order to find out if any uniform policy could be devised. The Centrally Administered Areas do not count for much so far as this question is concerned.

Educational Facilities for Children of Armed Forces Personnel

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*320. **Shri Rameshwar Tantia:**
Shri Ram Krishan Gupta:
Sardar Iqbal Singh:
Shri Pangarkar:
Shri D. C. Sharma:

Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 293 on the 19th February, 1960 and state:

(a) the further progress made in the finalisation of the contributory scheme for educational facilities for the children of personnel other than officers of the three Services;

(b) if finalised, the details thereof; and

(c) when it is likely to be implemented?

The Deputy Minister of Defence (Sardar Majithia): (a) to (c). The scheme is still under the consideration of the Services Headquarters.

Shri Rameshwar Tantia: What are the reasons why so much of time has elapsed and such a useful scheme is still under consideration?

The Minister of Defence (Shri Krishna Menon): Compared with most other schemes, it may not be an inordinate time. The main difficulty in this matter is that it is not possible to provide either finance or other aspects of education on a uniform basis on account of the different levels in other ranks. The case is not the same as that of officers. Also, the officers' scheme is a contributory scheme and it is not probably worked in the same way as this would have to be. This however is only my guess. I have not seen the report of the Chiefs of Staff yet. The main difficulty is, there are many different categories in other ranks.

Shri Jaipal Singh: May I know if this question. of free travel for a parent and the children is also under the consideration of the Government so that when the officers are transferred so frequently, the schools also may not be changed so frequently. That would perhaps meet this particular problem. May I know whether this questioh has been taken into consideration?

Shri Krishna Menon: This is a scheme about the education of children irrespective of travel on a contributory basis. That has nothing to do with transfers as such.

Mr. Speaker: What the hon. Member wants to know is, armed forces personnel are being transferred from one place to another. A Bengali may be posted to Madras and once again he may be posted to Punjab. Should the children also run along? What facilities are being given for the education of the children generally so that they may get the benefit and they may not suffer on account of the transfer. Is that the question?

Shri Jaipal Singh: Yes.

Shri Krishna Menon: At present, the education of children is not the responsibility of the Defence Ministry and is not a charge of the services. It is the responsibility of the State Governments. The present schemes are considered as part of the amenities to the provided for the troops in order to improve the morale and generally improve the level of education in the country. Therefore, it is considered on that basis.

Mr. Speaker: All that he wants to know is whether this aspect of it is being considered by the Defence Minister.

Shri Krishna Menon: No. That would be another question. This is irrespective of transfers. Certain educational facilities have been provided partly because of frequent movement and partly because they want to give better education.

Shri M. R. Krishna: If the education of Army children is not the responsibility of the Central Government how has it become the responsibility of the Central Government as far as the children of the Officer class are concerned?

Shri Krishna Menon: I have not said that it is the responsibility of the Central Government. The officers put up to scheme for which the Government gives a matching grant. That is all. We are trying to evolve a scheme on a similar basis and see what its financial implications are. The initiative must come from the services because, basically this is a voluntary scheme.

Shri Jaipal Singh: The hon. Minister has missed the import of my question. What I was trying to elicit from him was whether in this contributory scheme, as far as the Government is concerned, that particular aspect is being taken into consideration. Whether the response comes from the other half is another matter. Has the Government itself taken the initiative to bring forward this aspect?

Shri Krishna Menon: This matter is, at the present time, in the hands of the Chiefs of Staff.

Mr. Speaker: He is considering it.

Maharajkumar Vijaya Anand: May I know, will the children of civilian employees in the Defence Ministry be

entitled to admission in King George Schools and will they have the same benefits?

Shri Krishna Menon: Yes, if there are places—and there should be places. They do not come under the same scheme for the children of the soldiers.

Shri M. R. Krishna: May I know what concessions are being given to the children of those other than officers in the institutions which are directly under the Defence Ministry like the Sainik School and other feeder institutions?

Shri Krishna Menon: In K.G. Schools, officers' children are given certain concessions, but there is shortage of accommodation and there is greater demand for these schools. This problem is under the consideration of Government and, subject to its financial implications, would be sought to be implemented. The Sainik School is not so much of an aided school. There are scholarships available there, and it is not particularly confined to the children of officers. In the Sainik School, the students, or rather the parents, accept the responsibility that if Government want them to go into the services, they will do so.

Shri D. C. Sharma: May I know which agency in the Ministry of Defence is considering this scheme, and the personnel of it?

Shri Krishna Menon: The Chiefs of Staff make a recommendation because they are the most immediately concerned. The authority however is in the Government. The Chiefs of Staff have been asked to make a scheme—the initiative has partly come from them—and submit the same to Government for consideration.

Shri S. C. Samanta: Is it not a fact that the railways have established educational institutions and hostels for the children of their employees? Do Government think on those lines to give facilities to the children of military personnel who are often transferred from one place to another?

Shri Krishna Menon: The Railway Administration is very much more advanced in the way of social welfare than we are.

Shri Tyagi: The need for a chain of such institutions with hostel facilities arises from the fact that officers are liable to transfer from one corner to another, sometimes in the middle of a school term,.....

Mr. Speaker: What is the question?

Shri Tyagi:....with the result that the medium of education also changes Therefore, the scheme of having a chain of schools was considered, so that the armed forces could have such facilities. The officers were prepared to contribute only on condition that the Government would also be prepared to contribute something and give them free land and other facilities.

Shri Braj Raj Singh: It seems he is disclosing a secret that he learnt when he was a Minister.

Mr. Speaker: I do not know if he puts a question or gives an answer.

Shri Tyagi: My question is this. Is the Minister going to look into this demand of the services, which is an old demand, and give them the assurance that in case they are prepared to come up with their contributions, the Minister will also give funds to them?

Shri Krishna Menon: I am looking into the question. We can give no assurance. This is a matter of money. The statement made by Shri Tyagi covers two separate problems. One is the general education of all children, and the other is regarding the K.G. schools. The demand for the expansion of both is insistent from the services, from the public and from everybody concerned, and is under close examination.

Madras Land Reforms Bill

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*321. { **Shri N. R. Muniswamy:** **Shri Pahadia:** **Shri Supakar:** **Shri Bibhuti Mishra:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Shri C. Rajagopalachari and some leading citizens of Madras have submitted a memorandum requesting the President of India to refer the Madras Land Reforms (Fixation of Ceiling on Land) Bill, 1960 to the Supreme Court for advisory opinion under Art. 143 of the Constitution; and

(b) if so, what is the reaction of the Government of India thereto?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The Government of India are advised that no reference to the Supreme Court is necessary.

Shri N. R. Muniswamy: Has the petition pointed out any question of law or fact, any administrative shortcoming or practical difficulty, or any lacuna in the Bill? If so, what are they?

Shri Datar: They had raised four questions, the summary of which according to them, is that this Bill contravenes the provisions of the Constitution.

Shri Vajpayee: May I know if Government's decision not to refer this question to the Supreme Court is due to the fact that they are afraid of a reverse decision?

Shri Datar: No, Sir. Most of the questions have been the subject-matter of judicial decisions, and therefore Government are advised that it is not necessary at all to raise the same questions over again.

Shri Braj Raj Singh: May I know whether, after examination of the points put forward in this memorandum, Government have come to the conclusion that this is a queer way of propaganda of the Swatantra Party?

Shri Datar: Anyway, Government went into the whole question with full care, and they have come to the conclusion that it is not necessary to make any reference at all.

Shri Tangamani: May I know whether it is a fact that the Madras Ceiling Bill contains provisions similar to those in other ceiling Bills passed here for Delhi, Tripura and Manipur, the ceiling being 30 standard acres?

Shri Datar: Generally the provisions are on the same lines.

Shri N. R. Muniswamy: He has told us that they have raised four questions, but he has not told us that fundamental rights are supposed to be infringed?

Shri Datar: The four points are these. According to them, the purpose of the Madras Land Reforms (Fixation of Ceiling) Bill is not a public purpose at all; the provisions are discriminatory; exemptions are granted on certain terms which are not supported by law; the provision of the Bill relating to compensation really does not satisfy article 31(2).

श्री बिभूति मिश्र : मैं जानना चाहता हूं कि क्या केन्द्रीय सरकार ने मद्रास सरकार के सीलिंग बिल को देख कर उसकी जांच पड़ताल कर ली है और इसमें अगर कोई कटिनाई पाई गई है तो उसको रिमव करने के लिये मद्रास सरकार को परामर्श दिया है ?

Shri Datar: There is no question of any difficulties at all. Government consulted the Madras Government also, and they are of the same view that there are no such before as pointed out by the representationsts.

Shri Ranga: Who are the legal authorities who were consulted by the Government?

Shri Datar: We have got the highest legal authorities here, the Ministry of Law and the Attorney-General.

Shri Harish Chandra Mathur: Is it not a fact that all these objections have already been exhausted in the highest tribunals in the country? Have Government informed the people who have submitted the memorandum about the nature of their objections?

Shri Datar: That is exactly what I stated. They have already been covered by the judicial decisions of the Supreme Court. A reply will go from the President to the representations very shortly.

Shri Thirumala Rao: Has the attention of the Government been drawn to the press criticism recently made with regard to the uncertainty of the attitude of Government with regard to land reforms? It is stated that a number of States have already passed Bills connected with ceilings, but that the latest report that the Planning Commission wants further alternations in the Bills that have already become law is causing great uncertainty to both the tenants and the landlords.

Shri Datar: May I point out to the hon. Member that there is no uncertainty at all? If discussions go on, that should not lead to any uncertainty. Most of the State Governments have accepted the position and the land ceiling Bills have either been passed into law or are going to be passed into law.

Shri Thirumala Rao: With regard to the Bills already passed, further modifications are suggested by the latest panel of the Planning Commission. That is what I am drawing his attention to.

Shri Datar: It has not yet come in that form. If it comes to us we shall cosider it.

Silver Refinery at Calcutta

***323. Shri D. C. Sharma:** Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 356 on the 24th February, 1960 and state the upto-date progress since made in the installation and running of the silver refinery at Calcutta?

The Deputy Minister of Finance (Shri B. R. Bhagat): The new graphite crucibles were received and installed in March 1960. Silver is being refined and the rate of production is being gradually increased.

Shri D. C. Sharma: How long will it take this refinery to attain optimum production?

Shri B. R. Bhagat: We expect that before the year is out, the refinery will be producing about 12 million ozs. of silver per annum. The optimum capacity of the plant is 23 milion ozs. of fine silver. We do not know yet whether it will reach that optimum capacity, but all attempts are being made to reach as much production as possible.

Shri D. C. Sharma: May I know whether Government are thinking of setting up any other refinery in the Maharashtra State?

Shri B. R. Bhagat: No other silver refinery is needed.

Russian Crude Oil

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*324. **Shri Kodiyan:**
Shri Raghunath Singh:
Shri Aurobindo Ghosal:
Shri B. Das Gupta:
Shrimati Renuka Ray:
Shri P. K. Deo:
Dr. Samantsinhar:
Shri N. M Deb:
Shri Dinesh Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that Government have suggested to the foreign oil refineries in India to use Russian

crude oil which the Soviet Union has offered to supply to our country;

(b) if so, whether the oil companies have reacted favourably to the suggestion and;

(c) if the answer to part (b) above be in the negative, whether Government intend to start a State-owned refinery to make use of the Russian offer?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes.

(b) No, Sir.

(c) Not at present.

Shri Kodiyan: In view of the fact that the foreign oil companies here are not prepared to process the Russian crude oil, may I know whether Government think it desirable to take steps to revise the agreements, so as to make it obligatory on the part of those companies to process the oil which we may import from any foreign country?

Shri K. D. Malaviya: The policy of Government is to make an effort to persuade the owners of the refineries to modify the existing agreements on such matters as where agreements are reached by both the parties. Unilaterally, Government do not propose to impose any change in the present agreements.

Shri Kodiyan: It seems that the Russsians have offered crude oil our country at a much lower price than the prevailing world price. In answer to a previous question, the hon. Minister stated in this House that there was no possibility of increasing the installed capacity of the existing oil refineries in our country. In these circumstances, may I know what actually prevents Government from staarting a State-owned oil refinery so as to make use of the Russian offer?

Shri K. D. Malaviya: As and when Government see the desirability of increasing the capacity of our existing refineries, we shall not hesitate to import crude oil from the USSR or any other country and increase the number of refineries. As at present, we do not need to expand the capacity of our refinery, and that is the biggest factor which prevents us from making any further effort to import crude oil from abroad.

Shri Raghunath Singh: May I know whether it is a part of the agreement that these foreign refineries will refine the oil of their circle only?

Shri K. D. Malaviya: Of their choice only. They have been authorised under the agreements to make their own arrangements for the purchase of crude oil for their refineries and also for the transport of that oil from the place of purchase to the refineries.

Shrimati Renuka Ray: In view of the fact that they have not agreed to take the cheaper Russian crude oil, have they suggested a cheaper price for ther crude oil, and if so, how does it compare with that of the Russian crude oil?

Shri K. D. Malaviya: Some reduction has been offered by the existing oil companies for the prices at which we are now getting it. What the implication of that reduction is, is not yet clear to us. We are examining this question and trying to understand it from those who have offered this reduction.

Shri Aurobindo Ghosal: May I know whether the existing refineries will produce sufficient oil to meet our requirements, or whether it will be necessary to enlarge the present refineries to cope with the requirements of our country during the Third Five Year Plan?

Shri K. D. Malaviya: It is a complicated question, and it cannot be answered on a supplementary question asked by the hon. Member. We are producing certain products from our existing refineries; over and above that, we are also importing certain poducts, and perhaps, we shall have to continue importing certain products

like kerosene and diesel oil, and yet not need any refinery for some time to come.

Shri B. Das Gupta: May I know whether the Russian Government have proposed to start any refinery here in India?

Shri K. D. Malaviya: No, Sir.

Shri H. N. Mukerjee: I quite appreciate that Government prefer persuasion to other courses, as far as the conduct of these foreign oil companies is concerned. But may I know if Government have made it very clear to the foreign companies that if they do not listen to reason and persuasion, then we shall insist on the revision of the agreements with them?

Shri K. D. Malaviya: Government are taking certain steps which will bring about a situation in which perhaps this process of negotiation will go on rather more speedily, and this is all that we can say; we take steps from our own side to improve the situation of prices by lessening imports, but we do not propose to take any unilateral steps in the matter of revising the agreements.

Shri Jaipal Singh: Will the hon. Minister be in a position to tell the House whether one of the main reasons why the existing refineries have declined to take Russian crude oil is the fact that they felt that despite any amount of processing that they may have they could not eliminate the 'Red' from the crude oil?

Shri Raghunath Singh: May I know the prevailing market price of Soviet oil and also of the oil imported by these refineries?

Shri K. D. Malaviya: I do not know about the prevailing market prices of the Soviet crude oil, but the prices offered by the Western oil companies are always quoted in the Persian Gulf. They can be found out from *Oilgram*, they range from Rs. 74 to Rs. 72, on which certain reductions have been offered now, ranging from 8 per cent to 11 per cent. What the implication of that reduction is, is not quite clear to us, and we are trying to understand it.

Some Hon. Members *rose*—

Mr. Speaker: Next question.

Shri Narayanankutty Menon: May I ask one question? I had also tabled a similar question, but my name has not been included in the list, and I do not know why it has not been included.

Mr. Speaker: Next question.

Anti-Submarine Aircraft

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*325. { **Shri Raghunath Singh:** / **Shri Ramakrishna Reddy:** }

Will the Minister of **Defence** be pleased to state whether it is a fact that India has placed an order with the French aviation firm Societe des Ateliers D' Aviation Louis Breguet for anti-submarine Alize aircrafts to be used by the Indian Navy's new aircraft-carrier *Vikrant*?

The Minister of Defence (Shri Krishna Menon): Yes, Sir.

Shri Raghunath Singh: May I know when this aircraft is scheduled to be added to the Indian Navy, and also whether this aircraft is an old one or a new one?

Shri Krishna Menon: The aircraft is being built, and, therefore, it must be new.

Mr. Speaker: Why should the hon. Minister say 'therefore'? Why this kind of conjecture?

Shri Krishna Menon: No conjecture Sir, they will be new.

Oil Prospecting

*326. **Shri D. C. Sharma:**
Shri P. C. Borooah:
Shri Aurobindo Ghosal:
Shri Ajit Singh Sarhadi:
Shri Supakar:
Dr. Ram Subhag Singh:
Shrimati Ila Palchoudhuri:
Shri Rami Reddy.

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Minister of Mines and Fuel visited Russia for securing collaboration of Russian Government for prospecting oil in our country;

(b) if so, whether negotiations were held;

(c) the nature of the negotiations; and

(d) the result of negotiations?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (d). A statement giving the required information is laid on the Table of the House.

STATEMENT

Minister of Mines and Oil accompanied by two officers of the Oil and Natural Gas Commission visited USSR for about a fortnight in June, 1960 at the invitation of the Government of USSR. The opportunity provided by this visit was taken to discuss and review with the Minister of Geology and Minerals, Chairman of the State Committee of the Council of Ministers of the USSR for Foreign Economic Relations and officers concerned, the progress made in the oil projects being implemented with Soviet collaboration, and the utilization of funds earmarked for exploration and development of oil from the Russian Credit of Rs. 180 crores. There was general agreement in these talks with the Soviet authorities. During his visit, the Minister of Mines and Oil also met Mr. Mikoyan, First Deputy Prime Minister of the USSR.

Shri Rami Reddy: May I know whether any technical personnel of our Oil and Natural Gas Commission will be trained in Russia under these schemes, in oil exploration?

Shri K. D. Malaviya: Yes, many technicians have received training there; some have received training in other parts of the world, and this process of training is going on.

Shri Vidya Charan Shukla: May I know whether the hon. Minister negotiated with the Russian Government for any fresh credit for oil exploration, while he was in Russia?

Shri K. D. Malaviya: No. The main object of this visit of mine was to expedite the arrangements so far generally agreed to, and also to make arrangements concretely within the allocation which has already been made, that is, for the utilisation of Rs. 33 crores out of the Rs. 180 crores credit obtained by the Government of India. It was more or less a visit to fix up the details of the arrangements.

Shri Basappa: The latest handicap in our oil prospecting programme is want of more drilling rigs. We have only four drilling rigs, two of Rumanian origin and two of Russian origin, and they are not sufficient for our purposes. What efforts have been made to get more drilling rigs so as to accelerate the pace of oil prospecting programme?

Shri K. D. Malaviya: Firstly, this is not the biggest hurdle. Now we have passed on from that to another hurdle, organisational capacity to deal with the large number of drills that we are already proposing to get. Secondly, we have got more than 4 rigs; we have got more than double the number, about 9, and more are arriving. The problem is to have the technicians for those rigs and to handle the continuous operation.

Shri Supakar: From the inception of the Oil and Natural Gas Commission, we had practically a large number of Russian experts for the purpose

of oil prospecting in India. I want to know whether after these fresh negotiations the same team continues or whether we are going to have new experts, and more experts, for the purpose.

Shri K. D. Malaviya: The object of the entire functioning of the Oil and Natural Gas Commission is to reduce the number of foreign experts as soon as possible. But as the work is expanding, sometimes the number of technicians that have to be brought from abroad increases—which number is going to increase in the near future. At a time in the near future, we hope to control the flow of technicians from abroad because those who are helping us now are also anxious to get back their own people for their own requirements.

Shri Hem Raj: The hon. Minister has just stated that the main hurdle is in respect of technicians. What steps have been taken for training more technicians for drilling purposes?

Shri K. D. Malaviya: We are training them, as the picture of our expanded work clarifies. We engage our people, send them abroad for training and make arrangements for training here. There are several schools for training, for drilling and other functions. Also, we get technicians from abroad. So, our training arrangement is now quite satisfactory.

Shri Yadav Narayan Jadhav: May I know whether it is a fact that some other foreign Governments or some other companies, especially the Burmah-Shell, approached the Government with the offer of some collaboration in this respect?

Shri K. D. Malaviya: I think the supplementary has nothing to do with question.

Shri Aurobindo Ghosal: May I know what is the exact amount allocated for exploratory work out of the total Russian credit of Rs. 180 crores?

Shri K. D. Malaviya: Just now we are working on a basis of Rs. 33 crores out of the Rs. 180-crore allocation which includes the programme of exploration and production of crude oil and also technical training and establishment of some institutes for our work.

Shri Aurobindo Ghosal: What is the area of operation?

Mr. Speaker: Next question.

American Aid

\+

*327. **Shri A. K. Gopalan:**
Shri Narayanankutty Menon:
Shri V. P. Nayar:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the loans from the various lending agencies of the United States of America have been mostly utilised in the acquisition in the United States of America of consumer goods, semi-manufactures and industrial raw material and note on capital equipment and machinery to increase the nation's productive potential; and

(b) what are the break-up figures up-to-date for the utilisation of U.S. loan funds for (a) Consumer Goods, (b) Semi-manufacturess and (c) Capital equipment and machinery?

The Minister of Finance (Shri Morarji Desai): (a) and (b). No, Sir.

The principal lending agencies of the United States of America from which Goverment of India have received allocations are the Development Loan Fund and the Export-Import Bank which allow credits for the import of capital equipment. Government of India have also received from the International Co-operation Administration of the U.S. Government assistance partly as loans for various development projects covering supplies of fertilizers, D.D.T. etc. In addition, Government of India have also received substantial allocations of wheat from U.S.A. under special arrangements. Details are given in the statement placed on the Table.

STATEMENT

	In million dollars
Capital equipment including structural and other steel for development projects.	247·78
Vehicle components for road transport project.	18·09
Tubewell casings and equipment for Community Development.	4·52
Fertilizers.	8·85
D.D.T. and eqipment for malaria eradication and filaria-control.	13·38
Wheat under loan arrangements.	190·00

Shri Tangamani: May I know whether the 190 million wheat loan includes the wheat loan negotiated recently by the hon. Minister of Food and Agriculture?

Shri Morarji Desai: No, Sir. It has nothing to do with it. This was in 1951.

Shri Chintamoni Panigrahi: May I know what is the total value of capital goods imported from USA and what is the value of consumer goods imported?

Shri Morarji Desai: I have given it in the statement.

Shrimati Renu Chakravartty: Of the amount spent for import of capital goods, may I know whether it is chiefly used for the railways, ports and for any machine-building industries?

Shri Morarji Desai: It is for various kinds of things. It is also for machine-building, also for ports and also for railways.

Shrimati Renu Chakravartty: How much?

Shri Moraji Desai: The break-up is not given here.

भिक्षावृत्ति

*३२९. **श्री विभूति मिश्र** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तीसरी पंचवर्षीय योजना काल में भारत में भिक्षावृत्ति समाप्त करने के लिये सरकार कोई योजना बना रही है ; और

(ख) यदि हां, तो वह क्या है ?

गृह-कार्य उपमंत्री (श्रीमती आल्वा) : (क) तथा (ख) तृतीय पंचवर्षीय योजना काल में समाज कल्याण योजनाओं को कार्यान्वित करने के लिये राज्य सरकारों को सहायता देने का विचार है । इन योजनाओं में बूढ़े, अशक्त, रोगी और अपाहिज (विकलांग) भिखारियों के लिये सदन तथा सशक्त भिखारियों के लिये कार्य केन्द्रों की स्थापना शामिल है । राज्य सरकारें स्थानीय आवश्यकताओं को ध्यान में रखते हुये स्वयं योजनाय तैयार करेंगी ।

(a) and (b). During the Third Plan period it is proposed to continue assistance to State Governments for the implementation of their social welfare schemes. Such schemes may include the establishment of Homes for old, infirm, diseased and disabled beggars and work centres for able-bodied beggars. State Governments themselves will prepare schemes suited to local requirements.

श्री विभूति मिश्र : मैं जाना चाहता हूं कि क्या केन्द्रीय सरकार ने अपाहिज और सबल भिखारियों का कोई सर्वे किया है और मालम किया है कि इनकी कितनी कितनी संख्या है ?

Shrimati Alva: I do not think there is any census taken of beggars. Beggary falls. really within the purview of the State Governments. They have to deal with the problem of beggary mainly.

श्री विभूति मिश्र : पंच वर्षीय योजनायें केन्द्रीय सरकार बनाती है । मैं जानना चाहता

हूं कि क्या यह केन्द्रीय सरकार की जिम्मेदारी नहीं है कि जो सबल भिखारी हैं उनको काम देने की कोई योजना बनाये ताकि वे प्रोडक्टिव साबित हो सकें ?

श्रीमती आल्वा : केन्द्रीय सरकार की जिम्मेदारी नहीं है ।

Mr. Speaker: The Central Government have directly under their charge Union Territories. What has been done there?

Shrimati Alva: In some of the Union Territories, the question of beggary does not arise at all. Where it does arise, we look into it.

Mr. Speaker: Are there no beggars in Delhi?

Shrimati Alva: Yes. In Delhi, the Bombay Beggars Act is in force.

The Minister of Home Affairs (Shri G. B. Pant): Even for the States, certain grants have been made to be used for making provision for the infirm and other types of beggars and also for providing means of employment for the able-bodied beggars. Those laws are in force there. A provision of about Rs. 3·5 crores has been made under the Third Plan for social welfare services.

Pandit D. N. Tiwari: May I know whether the allotments sanctioned in the Second Five Year Plan for this specific purpose have all been spent or it is lagging behind and all money is not spent?

Shri G. B. Pant: We have not yet received reports for the entire five-year period, but grants have been made for the purpose and suggestions have been made that one home at least should be set up in a number of States. I believe that action is being taken or has been taken accordingly.

Shri Ram Krishan Gupta: May I know whether proposals have been received from individual States for approval and inclusion in the Third Five Year Plan?

Shri G. B. Pant: By whom?

Shri Ram Krishan Gupta: By the Central Government.

Shri G. B. Pant: For employment of beggars?

Mr. Speaker: He wants to know if any schemes have been proposed by the various State Governments and sent up to the Centre for approval.

Shri G. B. Pant: The Social Welfare Board also deals with these matters and we deal with the question in so far as it affects law and order, in a way. We have been making provision for establishing such homes; some proposals have been made by us, and it is likely some may have been received from the States. But primarily these matters go to the Planning Commission so far as specific schemes of substantial value are concerned.

Shri Thirumala Rao: May I know if any provision is made in the ensuing census to collect, as far as possible, correct statistics with regard to the large number of men, women and children who depend on begging in this country?

Shri G. B. Pant: Well, I do not think any special attention is going to be given to this particular matter. But the profession or vocation or the means of living is presumably entered in the census records and those who are beggars will, perhaps, be shown under that category. I may add that so far, 19 Beggar Homes and work centres have been set up in the States of Andhra Pradesh, Bihar, Bombay, Jammu and Kashmir, Kerala, Madhya Pradesh, Madras, Rajasthan and U.P. and the Union territories of Delhi and Tripura.

Shri Tyagi: Are the Government aware that in some localities the average income of an able-bodied beggar is higher than the income of an assistant in the Home Ministry?

Shri G. B. Pant: That is possible.

Mr. Speaker: The Question Hour is over.

SHORT NOTICE QUESTION

Infringement of Foreign Exchange Regulations

\+

S.N.Q.2. **Shri Vajpayee:**
Shri Assar:
Shri U. L. Patil:
Dr. Ram Subhag Singh:
Shri Raghunath Singh:
Shri Surendranath Dwivedy:
Shri P. G. Deb:

Will the Minister of **Finance** be pleased to state:

(a) whether the attention of Government has been drawn towards reports appearing in a section of the press stating that some Communists are involved in alleged transactions of foreign funds by infringing the foreign exchange regulations;

(b) if so, what are the facts; and

(c) the action taken by Government?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) and (c). There is at present only one case under adjudication for alleged infringement of Foreign Exchange Regulations which involves a Member of the Communist Party in the Lok Sabha. The charges are three. Firstly, the Member concerned has, it appears, been maintaining an account in sterling in London with a bank there without the prior permission of the Reserve Bank, and *prima facie* in contravention of the provisions of Section 4(1) of the Foreign Exchange Regulations Act read with Central Government's Notification No.F.1(67)-EC|57 dated the 25th September, 1958. Secondly, the person has, it seems by making some payments out of the said account without the prior approval of the Reserve Bank of India, contravened the provisions of Section 5(1) of the Foreign Exchange Regulations Act. Thirdly, he has also, it appears, contravened the provisions of Section 9 of the Foreign Exchange Regulations Act read with Central Government's Notification No.F.1(67)-EC|57 dated the 25th September 1958 by his failure to surrender certain sums received by him abroad to an authorised dealer for conversion to India currency within a period of 30 days as is required by the regulations on the subject.

The documents which support this view were seized from two searches conducted by the Enforcement Directorate on receipt of certain information from which it appeared that the person concerned had been engaged in activities which were *prima facie* in contravention of our Foreign Exchange Regulations. After the investigations had been completed by the Enforcement Directorate, adjudication proceedings as provided in the Foreign Exchange Regulations Act, 1947, have been started against the person concerned.

Shri Vajpayee: Is it a fact that the account is being operated for the last 15 years? If so, how is it that Government has come to know about it only recently?

Shri Morarji Desai: As all these proceedings are under adjudication I cannot give further details.

Shri Vajpayee: May we know when the account was opened?

Mr. Speaker: The hon. Member wants to know when the account was opened.

Shri Morarji Desai: The account was opened before 1947 when no permission was required.

Shri Vajpayee: May we know the total amount involved in the transaction?

Shri Morarji Desai: It is difficult for me to say just now.

Dr. Ram Subhag Singh: May I know when the Government came to know about it and also the names of the countries which have given money to the person concerned for keeping this account in sterling in the U.K. bank? What is the approximate amount and the bank balance at present?

Shri Morarji Desai: Government learnt about it 4 or 5 months ago. And, as I said, the amount cannot be disclosed just now as adjudication proceedings are going on.

Dr. Ram Subhag Singh: What are the names of the countries from which this particular Member received the money? Are the Government aware of this or not?

Shri Morarji Desai: All that is there; there is also a statement of the person concerned which also shows from where he received it. But all that is in the adjudication proceedings and they are not with me here.

Dr. Ram Subhag Singh: There is a question of propriety. This concerns a Member of the House as was disclosed by the hon. Finance Minister. May I know why this matter was not brought to the notice of the House? Now, a plea is taken that as the matter is before adjudication it is not possible to disclose all these facts.

Shri Morarji Desai: I do not think it was Government's responsibility to bring everything to the notice of Parliament even when something is done by a Member for which he is not arrested. I think only if he is arrested it should be brought to the notice of the House.

Shri Tyagi: I wonder why the Member had not been arrested till now. Is it only on account of his being a Member that the arrest is being avoided? Is not the law applicable equally to everybody?

Shri Morarji Desai: Not at all. Searches were made. When the Legal Department does not recommend prosecution no prosecution can be made. It all depends on whether a prosecution could be launched.

Shri Vidya Charan Shukla: May we know the name of the hon. Member of this House who is involved in this matter? Is there any objection to giving that out? (*Interruptions*).

Mr. Speaker: Is it necessary?

Shri Vajpayee: I do not think there can be any objection to give the name. (*Interruptions*).

Shri Tyagi: It is a big name; it cannot be given.

Shri Morarji Desai: I do not know why the name is so very necessary.

Shri Tyagi: When there is the question of a Member of this House being involved in such criminal activities, it is in keeping with the dignity of all the Members that the name should be given; otherwise, all Members will be dubbed. (*Interruptions*).

Mr. Speaker: Order, order.

Shri A. K. Gopalan: It has already been said here that it is under investigation. If there is a violation of the foreign exchange rules, whether it is this side or that side, action has to be taken. It was said that the statement is there. Will that statement be laid on the Table of the House?

Shri Morarji Desai: It cannot be done just now. It is under adjudication; it is not before me.

Shri Vidya Charan Shukla: The investigation has been completed and the matter is under adjudication now. After the investigation has been completed, I do not think there is anything wrong in giving out the name.

Shri Tyagi: It is a question of privilege, Sir. It is said that one of the Members of Parliament is involved. It will be wrong on the part of Government to keep the name back. It is to vindicate our own honour that the name should be given out. (*Interruptions*).

Mr. Speaker: Order, order. Shri Jaipal Singh.

Shri Jaipal Singh: Sir, I have a submission to make. Personally, I am not very anxious to hear the name of the person. But, unfortunately, from the other side, from the Treasury Bench, we have been told that the hon. Member concerned is a Member

of the Communist Party. We know how many Communist M.Ps. are there. To me it is very unfair that I should be staring at each one of them. (*Interruptions*). I submit that the Finance Minister is not fair to us. He should not have mentioned the Communist Party. He should have said, 'an hon. Member'. It may be a Minister or it may be somebody else. (*Interruptions*).

Shri Punnoose: I may point out that the hon. Minister may divulge the name provided the hon. Member is here to defend himself. (*Interruptions*).

Shri Vajpayee: Sir, may I submit.....

Shri Tyagi: Sir, in the papers there was the name of Shri Dange mentioned. I want to know whether that is the name of the person involved or whether that information is wrong?

Mr. Speaker: Having gone so far, the hon. Minister may give out the name.

Shri Morarji Desai: If you so direct, Sir, I must give the name. It is Shri Dange.

Mr. Speaker: With respect to questions of this kind—we do not know the scope of it—unless the whole matter is before the courts, even though some proceedings might have been taken against some person, even a Member of this House, the proceedings that have been taken so far are facts and therefore, to that extent information may be given to this House. Even then nobody can be found guilty unless the court establishes the guilt. This question relates to the searches made by the Government and it is open to the people to say that the search is right or wrong. To that extent I allowed this question. Otherwise, I would not have allowed this question. Whether really the Member is guilty or not has to be subsequently established but so far as the other things—searches and other things—are concerned, they are all facts. Having given this information about the searches, adjudication and other things, to withhold the name is not good. Why should there be speculation about a name? I am happy it has been given. I hope and trust that proceedings will show that he is absolutely free or innocent.

Dr. Ram Subhag Singh: May I know whether any part of the amount which is kept in the UK bank ever came to India to be utilised for political purposes?

Shri Morarji Desai: As I have said, all this is under adjudication proceedings and I do not think it will be proper for me to give these details at this stage.

Shri Raghunath Singh: I had also tabled a short notice question on this wanting to know the amount involved in this case.

Mr. Speaker: He was asked about that already. That is the subject matter of investigation and adjudication.

Shri K. N. Pandey: What are the sources of that income? Is that also under investigation?

Shri Morarji Desai: Everything is under investigation.

Shri Narasimhan: Adjudication by whom?

Shri Morarji Desai: By the officer concerned—Director of Enforcement.

WRITTEN ANSWERS TO QUESTIONS

Small Scale Steel Production

*322. **Shri Abdul Salam:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether any scheme for small-scale steel production has been received by Government from the All-India Manufacturers' Organisation; and

(b) if so, whether Government consider it a feasible proposition deserving of their assistance?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and

(b) The All-India Manufacturers' Association have not made any proposal for small-scale steel production. They have, however, recommended for favourable consideration of the scheme sponsored by Messrs Hind Traders of Bombay. This scheme is at present under consideration of the Government of India.

Government's Guarantee for Repayment of Loans

*328. **Shri Vasudevan Nair:**
Shri Nagi Reddy:
Shri V. P. Nayar:

Will the Minister of **Finance** be pleased to state:

(a) whether the Government of India have guaranteed repayment of any loans taken by the private sector from foreign lending agencies;

(b) if so, under what terms and conditions; and

(c) whether a copy each of such loan agreements between the private sector and the foreign lending agency as also a copy each of the terms and conditions of Government's guarantee will be laid on the Table?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) Yes Sir. The Government of India have guaranteed repayment of the following loans in foreign currencies taken by the private sector agencies from the International Bank for Reconstruction and Development:

(1) TISCO-I	Rs. 35.71 crores.
(2) TISCO-II	Rs. 15.47 crores.
(3) IISCO-I	Rs. 14.30 crores.
(4) IISCO-II	Rs. 9.52 crores.
(5) TROMBAY	Rs. 6.64 crores.
(6) TROMBAY-II	Rs. 4.67 crores.
(7) ICICI-I	Rs. 4.76 crores.
(8) ICICI-II	Rs. 4.76 crores.

(b) The guarantee covers repayment of principal and payment of interest and other charges as per loan agreement between the borrower and the International Bank for Reconstruction and Development.

(c) Copies of the relevant loan agreements together with the corresponding Guarantee Agreements have already been placed in the Parliament Library.

Vijnan Mandirs

*330. **Shri B. C. Mullick:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether a final decision has been taken with regard to the establishment of additional Vijnan Mandirs and the utilisation of these Mandirs for preserving the cultural heritage of India by adding a cultural wing to each Vijnan Mandir; and

(b) if so, the nature of such decision taken?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). Apart from 38 Vijnan Mandirs already functioning, the establishment of an additional Vijnan Mandir in West Bengal has been sanctioned. Proposals received from State Governments for establishment of 24 more Vijnan Mandirs are at various stages of processing. The question of adding a cultural wing to the Vijnan Mandir is under consideration.

Participation of Students in Political Demonstrations

*331 **Shri C. K. Bhattacharya:**
Shri P. C. Borooah:

Will the Minister of **Education** be pleased to state:

(a) whether Government have received a recommendation made at the conference of the State Inspectors-General of Police that the practice of employing students and other youths for political demonstrations should be prohibited by law; and

(b) what steps have been taken in the matter?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The recommendation is under consideration.

1961 Census

*332. **Shri Basumatari:**
Shri Daljit Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Census Department has been instructed to show sub-castes or sub-tribes about the Scheduled Castes and Scheduled Tribes in the Census of 1961; and

(b) whether their economic and educational characteristics also will be shown in the Census of 1961?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes.

(b) Yes.

Manufacture of Avro 748

*333. **Shri Jagdish Awasthi:**
Shri S. M. Banerjee:
Shri D. C. Sharma:
Shri Kalika Singh:

Will the Minister of **Defence** be pleased to state:

(a) whether any progress has been made in regard to manufacture of AVRO 748 at the Aircraft Maintenance Depot, Kanpur; and

(b) whether any prototype has so far been made?

The Deputy Minister of Defence (Sardar Majithia): (a) Very satisfactory progress has been made and is maintained.

(b) The prototype of the plane has been made in U.K. and had, we have been informed, flown 70 hours up to 5th August 1960, successfully. A plane is in production at Kanpur.

Petrol Rationing in Assam

*334. **Shri P. G. Deb:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Supply of petrol was rationed in Assam due to Digboi being cut off on account of activity of Naga rebels; and

(b) if so, the steps taken to restore the lines?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). On account of trouble created by some local hostile people on 1-6-60, Railway traffic was suddenly interrupted between Mariani and Lumding and some tank-wagons containing petrol were held up. To guard against consequent scarcity of petrol in several districts of Assam, the State Government directed their local officers to check the petrol stock position in their areas and to regulate sale, where necessary, until the communications were restored. Sale of petrol was regulated for a few days in Cachar, Diphu, Goalpara and Shillong. The normal rail traffic was restored on 19-6-60 and all restrictions on sale of petrol were accordingly withdrawn.

Durgapur Steel Plant

*335. **Pandit D. N. Tiwari:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the examination of the cost of estimates by the Hindustan Steel Ltd. of Durgapur Steel Plant has been completed;

(b) whether the estimates have been revised; and

(c) the quantum of increase in the estimates?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). The examination of the cost of estimates of Durgapur Plant is still under consideration of the Hindustan Steel Ltd.

Banaras Hindu University

*336. **Shri Agadi:**
Shri Shankaraiya:
Shri Khushwaqt Rai:

Will the Minister of **Education** be pleased to state:

(a) whether further investigation has been made in the matter of pur-

chase of Uttar Pradesh Zamindari Abolition Bonds worth Rs. 11,75,000 by the Banaras Hindu University during 1956—58;

(b) who has been found responsible for this transaction as established during *prima facie* case enquiry; and

(c) the details of action taken or proposed to be taken?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). At the request of the Executive Council of the Banaras Hindu University, the President has permitted Shri Justice K. T. Desai of Gujarat High Court to conduct an enquiry into the transactions relating to the purchase of Uttar Pradesh Zamindari Abolition Compensation Bonds by the University. The enquiry is at present in progress.

Economy in Construction Costs

***337. Shri Harish Chandra Mathur:** Will the Minister of **Finance** be pleased to state:

(a) what studies, if any, have been made so far by Special Reorganisation Unit Division and other organisations to effect economy in construction work; and

(b) what are Government's conclusions in this respect and the steps taken to bring about effective economy?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) Studies in construction work do not fall within the purview of the Special Reorganisation Unit. However the Buildings Projects Team of the Committee on Plan Projects has made several studies of different types of buildings and structures under the leadership of Shri S. K. Patil and a Review of its work is placed on the Table of the House. [*See* Appendix I, annexure No. 87].

(b) The studies already made reveal scope for economy in construction costs and accordingly the Team has been entrusted with further studies. The recommendations of the Team have been accepted and are being implemented. The nature and extent of the economies flowing from these recommendations are indicated in the Review.

Central Social Welfare Board

***338. Dr. Ram Subhag Singh:**
Shri B. C. Mullick:
Shri Siddiah:

Will the Minister of **Education** be pleased to state:

(a) whether the recently held two-day conference of Social Welfare Ministers of States discussed among other things the question of status and functions of the Central Social Welfare Board as also its legal and constitutional position; and

(b) if so, whether the conference recommended any higher status for the State and Central Social Welfare Boards?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The conference discussed the status and functions of State Boards; in the course of discussion on this point, the State Ministers were informed that the legal and constitutional position regarding the status of the Central Social Welfare Board was under examination. The conference resolved that for the present, *'status quo'* may be maintained in respect of State Social Welfare Advisory Boards.

दूसरा भाषा आयोग

३३९*. श्री म० ला० द्विवेदी :
श्री रामकृष्ण गुप्त :
श्री हरिश्चन्द्र माथुर :
श्री रामेश्वर टांटिया :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार भारत के संविधान के उपबन्ध के अनुसार दूसरा

भाषा आयोग स्थापित करने के प्रस्ताव पर विचार कर रही है ; और

(ख) यदि हां, तो यह आयोग कब नियक्त किया जायेगा ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) और (ख). पहले आयोग की रिपोर्ट पर राष्ट्रपति के आदेश अभी हाल ही में प्रकाशित हुये हैं। वर्तमान अवस्था में दूसरे आयोग की नियुक्ति से कोई फायदा मुश्किल से ही होगा।

Manufacture of Helicopters

*340. **Shri Ram Krishan Gupta:**
Shri Prakash Vir Shastri:
Shri D. C. Sharma:
Shri Raghunath Singh
Shri Keshava:
Shri Bhakt Darshan:

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 350 on the 24th February, 1960 and state:

(a) whether the plans for the manufacture of helicopters have been finalised; and

(b) if so, the details thereof?

The Deputy Minister of Defence (Sardar Majithia): (a) No decision regarding the manufacture of helicopters in India has been taken.

(b) Does not arise.

Ordnance Factory, Khamaria

*341. **Shri Rameshwar Tantia:**
Shri Ram Krishan Gupta:
Sardar Iqbal Singh:
Shri D. C. Sharma:

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 1325 on the 7th April, 1960 and state:

(a) the further progress made in completing the investigations relating to losses and deficiencies found in the stores of Ordnance Factory, Khamaria; and

(b) if so, the result thereof?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The matter is still under examination. A statement would be placed on the Table of the House as soon as the examination is completed.

Recruitment of Scientific and Technical Personnel

*342. **Shri Harish Chandra Mathur:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have taken any steps to streamline the procedure for the recruitment of Scientific and Technical personnel through U.P.S.C.; and

(b) if so, the nature of the scheme and steps taken to give effect to it?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The various steps have been indicated in paragraphs 10, 11, 15, 19 and 20 of the Ninth Report of the U.P.S.C. and also in paragraphs 79—81 at pages 51-52 of the Annual Report of the Ministry of Home Affairs for the year 1959-60.

Oil in Cauvery Basin

*343. **Shri N. R. Muniswamy:**
Shri Abdul Salam:
Shri Tangamani:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what is the latest position as regards the possibility of oil fields in Cauvery basin (Madras State);

(b) whether the Oil and Natural Gas Commission had conducted any preliminary survey in that region;

(c) if so, with what result; and

(d) whether any foreign expert collaboration is sought for in this regard?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (c). Preliminary geological exploration survey

is already in progress in Cauvery basin. The work so far carried out indicates the presence of marine strata. Seismic surveys to study the sub-surface strata are being undertaken. If the results of these surveys indicate favourable conditions, test drilling (which alone can show whether oil or gas is available) will be undertaken.

(d) Foreign experts already with the Oil and Natural Gas Commission are consulted.

Training of Civilians in Defence Establishments

*344. **Shri D. C. Sharma:** Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 450 on the 29th February, 1960 and state:

(a) the progress made in consideration of the proposal to train civilians in Defence establishments; and

(b) if so, the result thereof?

The Minister of Defence (Shri Krishna Menon): (a) and (b). To meet the deficiencies of Scientific/Technical manpower, the following two schemes are under consideration:—

(i) Craftsman training scheme. This scheme for training civilians and ex-Servicemen in Defence establishments is under preparation in collaboration with the Ministry of Labour. It is almost in its final stage and is expected to be in operation in the near future.

(ii) Scheme for training Engineers. This scheme provides facilities for Defence employees holding recognised Engineering Diplomas as well as those who have passed I.Sc. for qualifying in sections 'A' & 'B' of the Associate Membership Examination of the Institute of Engineers (India). The details of the scheme are being finalised.

Supply of Metallurgical Coal

*345. **Shri Kodiyan:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Government have received any complaints from private steel producers to the effect that they are not receiving adequate quantity of metallurgical coal for the efficient running of their blast furnaces; and

(b) if so, what action has been taken by Government to relieve the position?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Complaints were received from steel plants about inadequate supplies of coking coal to them. On examination, however, it was found that while supplies could not move to the steel plants to the full, according to the fix loading programme, they were not only quite adequate for the running of the blast furnaces to full capacity but also for maintaining stocks for a few days. In spite of the difficult transport position, special care was taken to see that the steel plants were kept adequately fed with coking coal.

TISCO and IISCO

*346. **Shri Ram Krishan Gupta:**
Shri Rameshwar Tantia:
Sardar Iqbal Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 839 on the 8th March, 1960 and state:

(a) whether the terms of repayment of the advance made to the Tata Iron and Steel Company and the Indian Iron and Steel Company have since been determined; and

(b) if so, the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir.

(b) Does not arise.

Over-crowding in Colleges and Universities

*347. **Shri D. C. Sharma:** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 474 on the 29th February, 1960 and state the progress made in the proposal to introduce a suitable test for admission to universities with a view to reducing over-crowding in colleges and universities?

The Minister of Education (Dr. K. L. Shrimali): The matter is still under the consideration of the University Grants Commission.

Stainless Steel

*348. **Shri Kodiyan:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it has come to the notice of Government that the demand for stainless steel is rapidly increasing; and

(b) if so, what action has been taken by Government to meet the increasing demand?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes, Sir.

(b) Government propose to set up in the public sector an alloy and tool steel plant which will, besides other varieties of alloy and special steels, produce stainless steels. Government have also under consideration licensing of some units in the private sector which will also produce, among other special steels, stainless steels.

Central Food Technological Research Institute, Mysore

*349. **Shri N. R. Muniswamy:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that the Central Food Technological Research Institute, Mysore has evolved numerous substitute foods;

(b) if so, what are they and whether they have been produced on mass scale so as to meet consumers' demand; and

(c) the amount spent so far on this Institute?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The Central Food Technological Research Institute has developed processes for the manufacture of substitute and supplementary foods such as Tapioca Macaroni, Multipurpose Food, Enriched flour, Blended Flour, Edible groundnut flour and Vegetable milks. The Institute is conducting 'consumer acceptability' trials.

(c) Rs. 148.792 lakhs till 31st March, 1960.

Defence College, New Delhi

566. **Shri N. M. Deb:**
Shri Warior:
Shri Vasudevan Nair:
Shri D. C. Sharma:

Will the Minister of **Defence** be pleased to state:

(a) how is the selection of candidates made to the newly opened Defence College in New Delhi;

(b) what is the estimated annual expenditure;

(c) what is the capital expenditure; and

(d) how many are already selected for training from civil service and from Defence services?

The Minister of Defence (Shri Krishna Menon): (a) Service Officers of the rank of Col. and Brigadier in the Army, and of equivalent ranks in the Navy and Air Force, who have held responsible appointments and may reasonably be expected to be suitable for consideration for further advancement are selected to attend the Course of training at the National Defence College.

Civilian Officers from the established Civil Services of the status of Deputy Secretary and above are eligible for selection and training at the National Defence College on the nomination by the authorities concerned and in appropriate proportions. Scientists in the employ of Government are also eligible for selection.

(b) Rs. 10 lakhs.

(c) Rs. 12·5 lakhs.

(d) 3 officers from the Civil Services, one Scientist and 17 officers from the Armed Forces have joined the first course which commenced in April 1960.

Aid to Shri Udai Shankar

567. Shri Madhusudan Rao: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Unstarred Question No. 2758 on the 27th April, 1960 and state the amount of aid since given to Shri Udai Shankar, the famous dancer?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): This Ministry has sanctioned Rs. 20,000/- and the Sangeet Natak Akademi Rs. 10,000/.

Scientific Research in Universities

568. Shri Madhusudan Rao: Will the Minister of **Education** be pleased to state the nature of facilities given to Andhra University, Osmania University and such other colleges in Andhra Pradesh during the last 3 years for purposes of scientific research and study?

The Minister of Education (Dr. K. L. Shrimali): A statement is laid on the Table. [*See* Appendix I, annexure No. 88]

Grant of Pardons and Remissions to Convicts

569. Shri Pangarkar: Will the Minister of **Home Affairs** be pleased to state the number of (i) murder cases and (ii) other cases in which pardons or remissions have been granted by the Central Government or the President from 1st April to 30th June, 1960?

The Minister of State in the Ministry of Home Affairs (Shri Datar): Death sentence was commuted to imprisonment for life in the case of fourteen prisoners and remission of punishment was granted in five cases, during the period from 1st April to 30th June, 1960.

Houses for Scheduled Castes and Scheduled Tribes in Bombay

570. Shri Pangarkar: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of houses built in the then Bombay State with the assistance of Central Government for Scheduled Castes and Scheduled Tribes during the years 1958-59 and 1959-60; and

(b) the amount sanctioned by Central Government for each year?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The required information is being obtained from the Government of Maharashtra and will be laid on the Table of the House as soon as received.

Commissioner for Scheduled Castes and Scheduled Tribes

571. Shri Pangarkar: Will the Minister of **Home Affairs** be pleased to state:

(a) how many times the Commissioner for Scheduled Castes and Scheduled Tribes visited Bihar State during 1959-60; and

(b) the places visited by him in that State?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Once.

(b) Ranchi.

Repayment of Loan to I. B. R. D.

572. { Shri Nagi Reddy:
Shri V. P. Nayar:
Shri Parulekar:

Will the Minister of **Finance** be pleased to state:

(a) whether any commitment charge at the rate of 3/4 of 1% per annum has been paid by the borrower (the Trustees of the Port of Madras) as per Article II Section 2·03 of the loan agreement with the International Bank for Reconstruction and Development dated the 25th June, 1958;

(b) if so, what are the amounts paid so far; and

(c) what, if any, are the total commitment charges paid since independence on the basis of such provision in loan agreements?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) Rs. 5,31,060.

(c) Rs. 215 lakhs.

Credit Facilities to India

573. **Shri Dinesh Singh:** Will the Minister of **Finance** be pleased to state:

(a) the names of countries that have at present offered credit facilities to India with the amounts and the period within which it is to be utilised;

(b) whether there are restrictions or special conditions; and

(c) if so, the particulars thereof?

The Minister of Finance (Shri Morarji Desai): (a) A statement of loans from foreign countries which are covered by Loan Agreements already concluded showing the respective periods for which they are available for utilisation is laid on the Table of the House. [*See* Appendix I, annexure No. 89]

(b) and (c). Each loan is governed by the conditions relating to it and agreed upon with the lending country, in regard to the rate of interest, the period of repayment, the number of instalments in which the repayment is to be made, any period of moratorium before repayment actually commences, etc. In addition some of the loans are tied to specific projects, some to exports from the lending country, and some others both to projects, and to exports from the lending countries. For details of all the terms and conditions of the different loans, reference is invited to the text of the loan agreements, copies of which are available in the Library of Parliament.

Allocation of Profit by L. I. C.

574. **Shri Mohan Swarup:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the allocation of the profit of Rs. 27·56 crores earned by the Life Insurance Corporation in 1957 among the 41,70,000 policy-holders has not yet been finalised;

(b) what are the rates proposed for different bonuses; and

(c) what method is to be adopted in fixing these rates of different bonuses?

The Minister of Finance (Shri Morarji Desai): (a) The allocation among the 41,70,325 policy-holders, entitled to bonus, of the surplus of Rs. 27·56 crores, disclosed as a result of actuarial valuation conducted as on 31st December, 1957 has not yet been finalised.

(b) The bonus indices for the different insurers have not been finally determined. However, on claims which arise till such time the indices are finalised, bonuses will be paid on the basis of the provisional indices set out in the first valuation report of the Corporation, copy of which was laid on the Table of the House on 5th August, 1959. The rates of provi-

sional bonuses declared as a result of that valuation were also mentioned in that report.

(c) It is proposed to group the various insurers into a suitable number of groups on the basis of their reserves and each group will be allotted a bonus index.

History of Freedom Movement

*875. **Shri D. C. Sharma:**
Shri A. K. Gopalan:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Unstarred Question No. 297 on the 19th February, 1960 and state:

(a) the further progress made in writing the first volume of the History of Freedom Movement; and

(b) when it is likely to be published?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The manuscript of the first volume of the History of Freedom Movement has been sent to the publishers and it is hoped to publish it during the current financial year.

Income-Tax Arrears in Punjab

576. **Shri D. C. Sharma:** Will the Minister of **Finance** be pleased to state the total amount of Income-tax arrears as on the 1st January, 1960 in the Punjab region (District-wise)?

The Minister of Finance (Shri Morarji Desai): The Income-tax statistics are not maintained District-wise. A statement showing the total amount of effective Income-tax arrears as on the 1st January, 1960 in each Income-tax *Circle* of the Punjab region is laid on the Table of the House. [*See* Appendix I, annexure No. 90]

Council of Scientific and Industrial Research

577. **Shri D. C. Sharma:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the categories of Class IV and Class III posts in the Council of Scientific and Industrial Research; and

(b) the present scale or scales of pay for each category of posts?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). A statement giving the designation of the posts and the corresponding scales of pay is laid on the Table. They will be reviewed in the light of Government's order on the recommendations of the Pay Commission. [*See* Appendix I, annexure No. 91]

Wind Mills

578. **Shri Madhusudan Rao:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the number of wind mills erected in different parts of the country with names of places of their location; and

(b) the details of the programme of wind mills to be installed?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). A statement which is laid on the Table gives the available information. [*See* Appendix I, annexure No. 92].

Opium Cultivation

579. **Shri A. K. Gopalan:** Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 1305 on the 21st March, 1960 and state:

(a) the number of applications for licences received from peasants for cultivating opium in Ratlam (including Village Namli) and Dhar (M.P.) in 1959;

(b) the number of applications not accepted; and

(c) the reason for the same?

The Minister of Finance (Shri Morarji Desai): (a) 12,599.

(b) 3,587.

(c) The reasons for the refusal of the applications are:

(i) ineligibility for licence under the Licensing Principles adopted for the season (*e.g.* failure to tender the minimum prescribed quantity of opium or resort to unauthorised cultivation during the preceding season, involvement in smuggling activities), and

(ii) restriction on the cultivation of poppy in the sugar cane growing tract in Ratlam District.

Note:—The above information relates to the opium crop season from 1-10-59 to 30-9-1960).

Recommendations of Pay Commission

580. **Shri A. K. Gopalan:** Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 551 on the 29th February, 1960 and state:

(a) whether Government have considered the recommendations of the Pay Commission regarding grant of overtime allowance as also the rates of the allowance; and

(b) if so, the details of the decision taken?

The Minister of Finance (Shri Morarji Desai): (a) The matter is still under consideration.

(b) Does not arise.

बिलासपुर और नाहन में जेल

५८१. **श्री म० ला० द्विवेदी :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) बिलासपुर और नाहन में नये ढंग की जेल बनाने की प्रस्थापना के बारे में क्या प्रगति हुई है ; और

(ख) उसमें कितना खर्च होने का अनुमान है ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) और (ख). विलासपुर में बिना दीवार की जल (Open Air Jail) के लिये स्थान चुन लिया गया है तथा वहां पर रखने के लिये कैदी चुने जा रहे हैं । इसके लिये आवश्यक कर्मचारियों की भरती भी हो रही है । पहिले तो वर्तमान सब-जेल (Sub-Jail) को बिना दीवार की जेल बनाया जायेगा तथा कैदियों को नये स्थान पर अपने लिये शिविर बनाने के काम पर लगाया जायेगा । इस योजना पर ७८,००० रुपये का आवर्ती (Recurring) व्यय होगा । इसके अतिरिक्त कैदियों के शिविर तथा उपस्कर (equipment) पर कुछ अनावर्ती व्यय होगा, जिसका अभी अनुमान नहीं लगाया गया है । नाहन में बनने वाली नई आदर्श (model) जेल की विस्तृत योजना तैयार हो रही है तथा लागत का अनुमान लगाया जा रहा है ।

माध्यमिक शिक्षा के बारे में अनुसंधान

५८२. **श्री म० ला० द्विवेदी :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) माध्यमिक शिक्षा सम्बन्धी समस्याओं के बारे में अनुसन्धान को प्रोत्साहन देने के लिये चालू वित्तीय वर्ष में अब तक कितनी धन-राशि मंजूर की जा चुकी है ; और

(ख) इस वर्ष कितनी अनुसन्धान योजनायें चालू की गयी हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): (क) २,२५० रुपये ।

(ख) चालू वित्त-वर्ष में अब तक एक नयी अनुसन्धान प्रायोजन शुरू की गई है ।

अखिल भारतीय माध्यमिक शिक्षा परिषद्

५८३. श्री म० ला० द्विवेदी :
श्री आसर :
श्री प्र० चं० बरुआ :
श्री सुबोध हंसदा :
श्री रा० च० माझी :
श्री नेक राम नंगी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) पुनर्गठित अखिल भारतीय माध्यमिक शिक्षा परिषद् और उसकी उप-समितियों की इस वर्ष अब तक कितनी बैठक हो चुकी हैं ; और

(ख) इन बैठकों में कौन से मुख्य निर्णय किये गये ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): (क)

निकाय का नाम	बैठकों की संख्या	तारीख
(१) अखिल भारतीय माध्यमिक शिक्षा परिषद् ।	१	२३/२४ मई, १९६०
(२) विज्ञान शिक्षा की उप-समिति	१	५-५-१९६०
बहुद्देशीय स्कूलों की व्यवसाय उप समिति	१	१९-४-१९६०
परीक्षा सुधार उप-समिति	१	२५-५-१९६०

(ख) विभिन्न विषयों की गहराई से जांच करने और परिषद् को अपनी सिफारिशें प्रस्तुत करने के लिये उप-समितियां नियुक्त की गई थीं । फिर भी परिषद् की प्रमुख सिफारिशों का संक्षेप नीचे दिया जाता है :—

(क) अच्छा तो यह होगा कि तृतीय पंचवर्षीय योजना के दौरान में सभी विद्यमान हाई स्कूलों को हायर सेकेण्डरी स्कूलों में बदल दिया जाये ; नहीं तो कम से कम ५० प्रतिशत हाई स्कूलों को तो अवश्य हायर सेकेण्डरी स्कूलों में बदल देना चाहिये ।

(ख) अध्यापकों की कमी को पूरा करने के लिये अल्पकालीन और दीर्घकालीन कदम उठाये जाने चाहियें ।

(ग) उपयुक्त सुविधायें प्रदान कर के सुयोग्य व्यक्तियों को गृह विज्ञान अध्यापक के रूप में काम करने के सम्बन्ध में आकर्षित करने के लिये कदम उठाये जायें ।

(घ) बहुउद्देशीय स्कूलों में सामान्य शिक्षा अवश्य दी जानी चाहिये और उसके बाद प्रत्येक विद्यार्थी के लिये व्यावहारिक प्रशिक्षण के व्यापक पाठ्यक्रम की व्यवस्था की जानी चाहिये ताकि वह रोजगार प्राप्त कर सके ।

(ङ) तृतीय पंचवर्षीय योजना के दौरान में स्कूल के अध्यापकों के लिये नौकरी में रहते हुए प्रशिक्षण की विस्तार सेवा प्रायोजना की देखभाल और संदर्शन का काम केन्द्र द्वारा जारी रहना चाहिये और नये केन्द्र भी खोले जाने चाहियें ।

(च) परीक्षा सुधार के उद्देश्य से मूल्यांकन एकांश स्थापित करने के लिये राज्य शिक्षा विभागों को शीघ्र कार्यवाही करनी चाहिये और केन्द्रीय सरकार द्वारा योजना की सहायता की जानी चाहिये ।

(छ) स्कूलों की जिन समस्याओं पर प्रयोग और अनुसन्धान करने की आवश्यकता हो, उनके सम्बन्ध में प्रायोगिक अध्ययन करने के लिये स्कूलों को प्रोत्साहन दिया जाना चाहिये । उन प्रयोगों के निरीक्षण और संदर्शन करने के लिये जिला-समितियां बनाई जानी चाहिये ।

(ज) अधिक से अधिक स्कूलों में विज्ञान पाठ्यक्रमों (सामान्य और वैकल्पिक) की व्यस्था की जानी चाहिये । अधिक से अधिक स्कूलों और कालेजों में विज्ञान क्लबों की भी स्थापना करनी चाहिये । हर साल पहली दिसम्बर को "राष्ट्रीय विज्ञान-दिवस" माना जाये और उससे पहले सप्ताह में विज्ञान मेलों का आयोजन किया जाना चाहिये ।

(झ) सेमिनार कार्य की आयोजना बनाने और उसकी व्यवस्था करने के लिये अनुसन्धान एकांशों की स्थापना होनी चाहिये ।

(ट) तृतीय पंचवर्षीय योजना में प्रत्येक हाई/हायर सेकेण्डरी और बहुउद्देशीय स्कूल में शैक्षिक और व्यवसायिक संदर्शन के लिये एक पर्याप्त कार्यक्रम की व्यवस्था होनी चाहिये ।

(ठ) तृतीय पंचवर्षीय योजना में १५ लाख अतिरिक्त छात्रों के प्रवेश का लक्ष्य स्थिर रखा जाना चाहिये ।

National Cadet Corps

584. Shri A. M. Tariq: Will the Minister of **Defence** be pleased to state:

(a) whether Government propose to have a Naval Wing in the National Cadet Corps in Kashmir; and

(b) if so, the steps taken in this direction?

The Minister of Defence (Shri Krishna Menon): (a) Proposals for raising new National Cadet Corps units are formulated by a State Government in consultation with educational institutions and the Circle Commander of the National Cadet Corps in that State and forwarded to the Government of India for acceptance. No proposal has so far been received from the State Government of Jammu and Kashmir for the raising of a Naval Wing unit of the National Cadet Corps in that State.

(b) Does not arise.

हिन्दी शार्टहैण्ड

५८५. श्री प्रकाश वीर शास्त्री : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या हिन्दी शार्टहैण्ड (शीघ्र-लिपि) सिखाने के लिये एक केन्द्र खोलने का प्रस्ताव, जिस पर सरकार विचार कर रही थी, क्रियान्वित कर दिया गया है ;

(ख) हिन्दी शार्टहैण्ड सिखाने के लिये केन्द्र ने हिन्दी शार्टहैण्ड की कौन-सी प्रचलित पद्धति अपनाई है और हिन्दी टाइपराइटरों का कौन सा की-बोर्ड प्रमाणिक माना गया है ; और

(ग) हिन्दी स्टेनोग्राफर, स्टेनोटाइपिस्ट और टाइपिस्ट के पद पर नियुक्ति के लिये हिन्दी शार्टहैण्ड और टाइपराइटिंग सीखने वाले विद्यार्थियों की क्रमश: कितनी स्पीड (गति) होनी चाहिये ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) जी हां ।

(ख) अभी तो हिन्दी शार्टहैण्ड का प्रशिक्षण ऋषि प्रणाली के अनुसार हो रहा है । शिक्षा मंत्रालय एक प्रमाणिक हिन्दी टाइपराइटर की-बोर्ड के निर्माण के लिये कार्यवाही कर रहा है ।

(ग) यह योजना केवल सरकारी कर्मचारियों के प्रशिक्षण के लिये है, विद्यार्थियों के लिये नहीं ।

Post-Matric Scholarships to S. C. & S. T. Students in Orissa.

586. { **Shri Chintamoni Panigrahi:** / **Shri B. C. Mullick:**

Will the Minister of **Education** be pleased to state:

(a) the total amount asked for and sanctioned to Orissa Government for the post-matric scholarships to the students belonging to Scheduled Castes, Scheduled Tribes, and other Backward Classes separately in 1959-60;

(b) how many students have been benefited in Orissa by this Scheme; and

(c) what amount has been allotted to Orissa for 1960-61 so far ?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix I, annexure No. 93].

Foreign Economic Assistance for India

587. **Shri Chintamoni Panigrahi:** Will the Minister of **Finance** be pleased to state:

(a) whether attention of Government has been drawn to a statement made by Shri B. K. Nehru at the Michigan Conference of International Development, in which he has said that India needs international aid of 1,000 million dollars annually to make the Indian economy self-sustaining; and

(b) how far is the assessment correct?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The attention of the Hon'ble Member is invited to the Chapter on Resources for the Plan appearing in the Draft Outline of the Third Five Year Plan. The estimated requirement of Rs. 2600 crores of external assistance for the Third Plan tallies with the figure put forward by Shri Nehru.

Iron Ore Reserves

588. **Shri Chintamoni Panigrahi:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what quantity of the 117 million tons of estimated iron ore reserves at Kiriburu Mine is of 62 per cent Fe. to 68 per cent Fe. grade; and

(b) what will be the cost of the Kiriburu township?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) 103.5 million tons approximately.

(b) Rs. 75 lakhs approximately.

Grants to Utkal University

589. **Shri Chintamoni Panigrahi:** Will the Minister of **Education** be pleased to state:

(a) whether grants were given to the Utkal University for organising cultural festivals;

(b) if so, the amount of grants given in 1956-57, 1957-58, 1958-59 and 1959-60 separately to the Utkal University for the purpose; and

(c) how the University has used it?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir.

(b)

1956-57	Rs. 3,000/-
1957-58	Nil.
1958-59	Rs. 4,000/-
1959-60	Rs. 3,807/-

(c) Used the grants for the purpose for which they were sanctioned.

Agricultural Colonies for S.C. & S.T. in Orissa

590. **Shri Chintamoni Panigrahi:** Will the Minister of **Home Affairs** be pleased to state:

(a) the names of places where agricultural colonies were started for Scheduled Castes and Scheduled Tribes in Orissa in 1958-59 and 1959-60 under the Centrally sponsored schemes;

(b) whether any such colonies have been sanctioned for 1960-61;

(c) if so, how many and their locations;

(d) the amount of grant sanctioned by the Central Government for this purpose for the years 1958-59, 1959-60 and 1960-61; and

(e) the amount actually spent in the year 1958-59 and 1959-60?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (e). No agricultural colonies were started for Scheduled Castes and Scheduled Tribes in Orissa in 1958-59 and 1959-60 under the Centrally sponsored schemes and no Central grant was santioned for the purpose during these two years. During the year 1960-61 also no Central grant has been santioned for starting such colonies under the Centrally sponsored schemes.

Separation of Judiciary from Executive

591. **Shri Ram Krishan Gupta:**
Shri Rameshwar Tantia:
Sardar Iqbal Singh:
Shri Pangarkar:
Shri Ajit Singh Sarhadi:
Dr. Ram Subhag Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 1416 on the 24th March 1960 and state the further progress made in different States with regard to separation of Judiciary from the Executive?

The Minister of State in the Ministry of Home Affairs (Shri Datar): A statement showing the latest position is placed on the Table of the House.

STATEMENT

The further progress reported by State Governments as in June 1960 is as follows:—

1. *Assam*:—The report of the Committee appointed by the State Government to examine the proposal is under the consideration of the State Government.

2. *Bihar*:—Of the seventeen districts in the State, the Judiciary has been completely separated from the Executive in twelve districts. Due to administrative difficulties, the State Government will not be able to introduce the scheme in the remaining five districts before 1962-63.

3. *Madhya Pradesh*:—The State Government hope to effect the separation in the Mahakoshal region of the State with effect from the 1st January, 1961.

4. *Orissa*:—The scheme has been brought into effect in three out of thirteen districts, i.e. Cuttack, Puri and Balasore from 1st May, 1960.

5. *Rajasthan*:—A Committee, set up by the State Government and presided over by Shri Justice K. L. Bapna had submitted its report in November, 1959, and it is still being considered by the State Government.

6. *Uttar Pradesh*:—The scheme has been extended to 14 more districts with effect from 15th April, 1960, and is now in force in 34 districts of the State.

Centre for the Deaf in Delhi Polytechnic

592. **Shri Ram Krishan Gupta:**
Sardar Iqbal Singh:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government are considering a proposal to open a centre at the Delhi Polytechnic for training deaf persons in various crafts; and

(b) if so, at what stage the scheme is ?

The Minister of Education (Dr. K. L. Shrimati): (a) and (b). The proposal of establishing a special section in the Delhi Polytechnic for training the deaf in Arts is being processed.

Petroleum Exploration

593. { **Shri Ram Krishan Gupta:**
Sardar Iqbal Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 1581 on the 19th April, 1960 and state:

(a) whether Government have examined the proposals made by the French Institute of Petroleum in regard to French aid for oil exploration; and

(b) if so, the result thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir. The Oil and Natural Gas Commission are now considering the proposals. They have sought certain clarifications from the French Institute of Petroleum.

दिल्ली के विकास विभाग का पुनर्गठन

५९४. **श्री नवल प्रभाकर** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली के विकास विभाग का पुनर्गठन किया जा रहा है ; और

(ख) यदि हां, तो मोटे तौर पर उसका ढांचा क्या होगा ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) तथा (ख). दिल्ली के विकास विभाग के पुनर्गठन करने के लिये अब तक कोई प्रस्ताव तैयार नहीं किया गया। प्रशासन के एक अफसर द्वारा इस विभाग के कार्य का अध्ययन किया जा रहा है। उसकी रिपोर्ट आने पर इस विभाग के पुनर्गठन के प्रश्न पर विचार किया जायेगा।

Underground Fire in Coal Mines

595. **Shri Ajit Singh Sarhadi:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what penal or preventive measures are taken to force the mine-owners in private sector to localise or isolate the underground fire in the coal mines;

(b) whether the present legislation is sufficient to meet the situation for conservation of coal; and

(c) if not, whether any steps are intended for the purpose?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Without prejudice to the powers available to the Chief Inspectorate of Mines under the Mines Act, 1952, sub-sections (3) and (4) of section 13 of the Coal Mines (Conservation and Safety) Act, 1952 empower the Chief Inspector of Mines in India and the Inspectors of mines under him, as well as suitably qualified officers of the Coal Board, to issue orders directing owners, agents or managers of coal mines to take necessary protective measures, including stowing, in order to provide adequately for the prevention and control of fires in coal mines. Rule 35 of the Coal Mines (Conservation and Safety) Rules, 1954 read with rule 47 thereof, provides that all orders issued under sub-section (3) of section 13 of the Act shall be complied with by the collieries concerned within the period prescribed therein, and that failure to do so would amount to contravention of the rules, and would be punishable with imprisonment extending to three months or fine or both. Adequate powers are thus available to compel collieries to undertake protective measures to tackle fires.

(b) and (c). The present legislation is considered generally adequate to ensure conservation of coal. A review of the Coal Mines (Conservation and Safety) Act and the rules thereunder is, however, being made

with a view to bringing them up-to-date.

Promotion of Sanskrit Studies

596. Shri Vidya Charan Shukla: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Central Sanskrit Board constituted by Government has appointed a Committee to gather data relating to the existence of endowments by private benefactors, earmarked for the promotion of Sanskrit learning and studies; and

(b) whether it is a fact that due to the neglect of Sanskrit scholars the above endowments had been allowed to get into the hands of third parties who are treating the funds of such endowments as private property and the Board is now attempting to get the funds back for their original purpose?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir. It may, however, be stated that the Central Sanskrit Board has recommended that one person should be nominated in each of the States to collect information, with the co-operation of the State Governments, about defunct trusts and endowments, which were earmarked for Sanskrit education.

(b) The Govenment of India have no authentic information in the matter, but steps are being taken to collect the same.

Iron and Steel Requirements of Madras

597. Shri N. R. Muniswamy: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what were the requirements of iron and steel for the State of Madras in 1957-58, 1958-59 and 1959-60 so far;

(b) how much of it was supplied by the Centre; and

(c) what was the reason for not meeting the demand in full?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The information is given below:—

Year	Demand/ Requirement	Allotment	Despatches/(‡) Supplies.
1957-58	42,590	17,458	21,891
1958-59	50,140	23,637	14,314
1959-60	68,957	62,958	38,880

(‡) Figures represent despatches against current and outstanding order.

(c) Although production increased during the last three years the demand had also shot up with the result that the requirements of various States could not be met in full. At the same time, due to difficult foreign exchange position, import of steel had to be curtailed.

National Metallurgical Laboratory

598. Shri Abdul Salam: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether any research has been carried out in the National Metallurgical Laboratory on the smelting of magnesite iron ores of Salem with Neyveli lignite; and

(b) if so, the results thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). No, Sir. The work can be undertaken only when lignite is supplied in a processed form for which the Neyveli lignite Corporation is setting up a unit.

Zoological Survey of India

599. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer

to the reply given to Starred Question No. 475 on the 29th February, 1960 and state the progress made so far in the scheme to strengthen the Zoological Survey of India to cope with the increasing demands for exploration in the country?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): Four Regional Stations have been set up at Shillong, Poona, Jabalpur and Jodhpur. Arrangements for opening the fifth Regional Station at Dehra Dun are complete. At the Headquarters at Calcutta, two Units—the Marine Survey Unit and the Animal Population Unit—have been opened. 12 existing Sections have been strengthened and 6 new Sections have been opened at the Headquarters.

Manufacture of Motor Cycles

600. **Shri D. C. Sharma:**
Shri Pangarkar:

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 479 on the 29th February, 1960 and state:

(a) whether any progress has been made in the proposal to manufacture motor-cycles in Ordnance Factories in collaboration with Japan; and

(b) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon): (a) and (b): There has been no further progress in the proposal to manufacture Motor Cycles in Ordinance Factories.

रामगिरी की सोने की खानें

६०१. **श्री रघुनाथ सिंह :**
श्री मं० रं० कृष्ण :

क्या **इस्पात, खान और ईंधन** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय भूतत्वीय सर्वेक्षण विभाग ने आन्ध्र प्रदेश के अनन्तपुर जिले में स्थित रामगिरी की सोने की खानों के निक्षेपों के बारे में पूरे आंकड़े एकत्र किये हैं ; और

(ख) यदि हां, तो उन्होंने क्या निष्कर्ष निकाले हैं ?

खान और तेल मंत्री (श्री के० दे० मालवीय) : (क) और (ख). जी हां । विस्तृत मानचित्रण, नमूनों के प्रारम्भिक एकत्रण तथा पुरानी खानों से सम्बन्धित प्राप्त कुछ लेखों (records) के अध्ययन से प्रतीत होता है कि कच्ची धातु की धाराओं में सोने का अंश आशाजनक मात्रा में है । इससे पहले कि इस क्षेत्र की आर्थिक क्षमता निश्चित की जाये, खाइयां खोद कर, ब्यधन और पुनः कच्ची धातु की धाराओं के नमूनों के एकत्रण द्वारा आगे विस्तृत अन्वेषण करना आवश्यक है ।

Traces of Ancient Civilisation in Bihar

602. **Shri D. C. Sharma:**
Shri Raghunath Singh:
Shri Ajit Singh Sarhadi:
Shri P. K. Deo:
Shri Bishwanath Roy:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that sites have recently been excavated showing the existence of ancient civilisation in Bihar;

(b) if so, the nautre of things excavated; and

(c) the period to which they belong?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir. Discoveries have been made from time to time.

(b) and (c). The reports are published in the Indian Archaeology—A Review, 1953-54, 1954-55, 1955-56,

1956-57, 1957-58 and 1958-59 at pp. 9-10, 16—19, 22-23, 19-20, 10-11 and 12-13 respectively, copies of which are already available in the Library of Parliament.

Displaced Persons in Tripura

603. { **Shri D. C. Sharma:** / **Shri Bangshi Thakur:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a group of refugees were lathi-charged while staging a demonstration on the 21st May, 1960 demanding the "economic rehabilitation of displaced persons in Tripura" before the Rehabilitation Directorate at Agartala;

(b) if so, the circumstances leading to the lathi-charge; and

(c) the steps taken or proposed to be taken to meet their demand?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). On 21-5-1960 at about 6 P.M. a procession of about 150 persons started from Durgabari, Agartala, shouting the slogans "March ahead towards Civil Disobedience movement" and "Go ahead towards revolution". The procession came in front of the main gate of the Rehabilitation Directorate at about 6.15 P.M. A Police force was stationed at the Directorate building to maintain law and order. The crowd tried to force their way into the building shouting that they would set it on fire. They also hurled brick-bats on the police party causing injuries to the police officer and the constables on duty. The Sub-Divisional Magistrate declared the assembly unlawful and asked them to disperse. On their refusal to disperse, Shri Mohan Choudhury was arrested and mild force was employed to disperse the crowd.

(c) The demonstrators did not present any demand.

Steel Production at Rourkela

604. **Shri Rami Reddy:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the quantity of Steel produced at Rourkela till now;

(b) the quantity exported to the foreign countries;

(c) the countries to which steel is exported;

(d) at what price; and

(e) the value of steel exported so far?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 1,06,650 tons of ingots and 24,960 tons of slabs have been produced at Rourkela upto June, 1960.

(b) to (e). Rourkela exported about 1400 tons of steel ingots to U.K. and about 11,000 tons of slabs to West Germany up to the middle of July 1960. The price of various consignments differs from time to time but the total value of steel exported from Rourkela would be about Rs. 43 lakhs.

Regional College of Technology at Rourkela

605. **Shri Supakar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether Government have taken a decision to start a Regional College of Technology at Rourkela during the current year; and

(b) if so, the annual intake of the students and the subjects proposed to be taught?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The All India Council for Technical Education has recommended the establishment of a Regional College at Rourkela with 250 new admissions annually to the various branches of engineering. The matter is at present under consideration of Government.

Death of Refugee Hunger-striker in Agartala

606. Shri Bangshi Thakur: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that one of the refugee hunger-strikers has died in the V. M. Hospital, Agartala; and

(b) if so, the details thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) A batch of 19 displaced persons started a hunger strike at Durgabari on 18-4-1960 as a protest against the refusal of the Tripura Administration to grant enhanced rates of loan with retrospective effect. Another batch of 34 displaced persons joined the hunger strikers on 8-5-1960 at the same place. Shri Biswambhardas Namadas, a displaced person, stated to be between 55 and 60 years of age, was a member of the second batch of hunger strikers.

The Superintendent, Victoria Memorial Hospital, was informed on the 18th May, 1960, that the condition of two of the hunger strikers had deteriorated considerably. Under his instructions, Government doctors rushed to Durgabari but were given no facilities for identifying the two particular persons. As there was general deterioration in the condition of all hunger-strikers, they were placed under arrest under section 309 of the Indian Penal Code and section 11 of the West Bengal Security Act and removed to tht jail about 11.00 P.M. Their medical examination revealed that 9 of them including Shri Biswambhardas Namadas, were in a very unsatisfactory condition. They were accordingly sent to the Victoria Memorial Hospital for immediate medical treatment. Shri Namadas, unlike others, refused to break his fast till the evening of 19-5-1960 when the strike was formally called off. Till then, he had refused to take even lime-water which he had been taking previously at Durgabari. After breaking his fast, he took the prescribed food. His condition had, however, deteriorated so much that all injections and medicines proved futile and he unfortunately breathed his last at 2.45 A.M. on the 20th May, 1960, after a brief but severe attack of diarrohea.

Welfare of Backward Classes

607. Shrimati Ila Palchoudhuri: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that out of a total of about Rs. 91 crores allotted for the welfare of backward classes during the Second Plan period only about 37 per cent thereof has been utilised in the first three years by States and Union Territories;

(b) if so, the reasons therefor;

(c) the amount allotted to and spent by each State and Union Territory during the first three years of the Second Plan; and

(d) the details of steps, if any, taken or proposed to be taken so that the States and Union Territories may utilise their respective allocations in full?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes.

(b) The general reasons for shortfalls in expenditure have been as under:—

1. Cuts in the allocations for welfare of backward classes in order to accommodate certain other items of expenditure within the plan ceilings for the States concerned.
2. Inadequacy of preliminary planning and arrangements for implementation of approved schemes.
3. Inadequacy of arrangements for collecting progress reports in time so as to serve as a basis for periodical reviews of the situation and initiation of special measures to achieve the target.

4. Procedural delays and delays due to absence of co-ordination between the implementing Departments and Departments in-charge of Welfare of Backward Classes.

5. Organisational incapacity of the Departments in some States to utilise in full the allocations made under the Plan.

6. Slow rate of expenditure in the Special Multi-purpose Tribal Blocks.

(c) and (d). Two Statements are laid on the Table of the Lok Sabha. [*See* Appendix I, annexure No. 94].

राजस्थान में गाड़िया लुहारों की आवास समस्या

६०८. **श्री प० ला० बारूपाल :**
श्री रमेशचन्द्र व्यास :
श्री दीन बन्धु परमार :

क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार ने राजस्थान सरकार को अब तक गाड़िया लुहारों के आवास की समस्या को हल करने के लिये कितनी राशि दी है ;

(ख) उन परिवारों के लिये अब तक कितने मकान बनाये जा चुके हैं और प्रत्येक मकान पर कितना खर्च किया गया है ;

(ग) कितने परिवारों को खेती के लिये भूमि दी गयी है ; और

(घ) कितने परिवारों को बसाने और उनको भूमि देने के प्रश्न पर विचार किया जा रहा है ?

गृह-कार्य उपमंत्री (श्रीमती आल्वा) : (क) तथा (ख) राजस्थान सरकार द्वारा दी गई सूचना के अनुसार १९५५-५६ से ले कर १९५९-६० तक गाड़िया लुहार परिवारों को जिन मकानों के बनाने के लिये उपदान (Subsidy) दिया गया, उन की संख्या और प्रति मकान के लिये दिये गए उपदान की दर निम्न प्रकार है :—

क्रमांक	मकानों की संख्या	उपदान की दर
१	२२९	७५०
२.	१२	७००
३.	५०	६५०
४.	४	५५०
५.	३०	५००
६.	३६८	३००
७.	२५	२५०
८.	६७	३५०
९.	२९	४००
	८१४	

इस व्यय में भारत सरकार का ५० : ५० (आधा) भाग है । ८१४ (मकानों) में से अब तक ५४० मकान बन चुके हैं, १३८ मकान बनकर पूरे होने वाले हैं और १३६ बन रहे हैं ।

(ग) १३३ परिवारों को ।

(घ) ३१९ परिवारों को ।

Court of Inquiry regarding Naga Accident

609. **Shri Warior:**
Shri A. K. Gopalan:
Shri Kunhan:

Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 2147 on 14th April, 1960 and state:

(a) whether Government have received the proceedings of the Court of Inquiry on the accident in the firing range at Nagda; and

(b) the decision taken thereon?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) A statement is laid on the Table.

STATEMENT

The Court of Inquiry instituted to investigate into the circumstances in which a woman was killed and her husband injured near Nagda village on the Babina Field Firing Ranges on the 26th March, 1960, came to the following conclusions after visiting the site of the accident and after examining witnesses:—

(a) The two persons, Shri Daya Ram and his wife Shrimati Patrani, were injured by a shell burst on the 26th March 1960 at about 0900 hours near village Nagda on the Babina Field Firing Ranges. They were removed to the Military Hospital Jhansi, where Shrimati Patrani succumbed to her injuries the same night.

(b) The unit concerned took necessary precautions as laid down in the standing orders for the ranges both before and during field firing.

(c) The Police authorities had taken necessary action to warn the villagers of Nagda, which lies on the Babina Field Firing Ranges, to vacate the range area during the firing practice.

(d) The local civil authorities had given clearance certificates which showed that the Babina field firing ranges were completely clear of human beings and livestock and would remain so until completion of firing practices on the 26th March 1960.

(e) The two villagers had remained in the range area and in the vicinity of the village despite having been warned to vacate.

2. The Court of Inquiry was of the opinion that the injuries sustained by Shri Daya Ram and his wife, Patrani, who subsequently died of her injuries, were due to their own negligence in not vacating the range area, and that no one else was to blame.

3. The question of any compensation for the accident does not, therefore, arise. However, to relieve distress, Government have decided to sanction *ex-gratia* an amount of five hundred rupees to the husband of the deceased.

Educational Facilities to Children of Political Sufferers

610. **Shri B. C. Mullick:**
Shri Naval Prabhakar:
Shri D. C. Sharma:
Dr. Ram Subhag Singh:

Will the Minister of **Education** be pleased to state:

(a) the amounts granted to the State Governments (State-wise) for the award of scholarships and other educational facilities to the children of political sufferers during 1959-60;

(b) whether the same grants have been given to the State Governments for 1960-61; and

(c) if so, the amount given or proposed to be given to each State Government?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A Statement is laid on the Table of the House. [*See* Appendix I, annexure No. 95].

Welfare of Backward Classes in Orissa

611. Shri B. C. Mullick: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the State Government of Orissa have requested the Central Government for increasing the Central Aid from 50 per cent to 75 per cent under State Sector Schemes for the welfare of the Backward Classes; and

(b) if so, the action taken thereon?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes, Sir.

(b) It was decided not to make any deviation from the policy of giving Central Aid at 50 per cent for State Sector Schemes.

Seizure of Gold

612. { **Shri Jagdish Awasthi:** / **Shri S. M. Banerjee:**

Will the Minister of **Finance** be pleased to state:

(a) whether gold worth Rs. 30,000 was seized in Varanasi on the 9th June, 1960; and

(b) what action has been taken against the persons concerned?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The case is under investigation.

Shaktiman Trucks

613. **Shri M. R. Krishna:** Will the Minister of **Defence** be pleased to state:

(a) the total number of Shaktiman trucks manufactured in Ordnance Factories so far;

(b) the number of trucks put in use in various units; and

(c) whether the Shaktiman trucks have been found to be economical compared to the other trucks at present in use in the Defence Forces?

The Minister of Defence (Shri Krishna Menon): (a) 846 trucks were manufactured upto the end of July 1960.

(b) 782 vehicles have been issued to the units and 42 more are under issue.

(c) Yes, Sir.

Indo-Japanese Pact on Avoidance of Double Taxation

614. { **Shri Raghunath Singh:** / **Shri P. K. Deo:**

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that to avoid double taxation Indo-Japanese Pact has been ratified; and

(b) if so, how it was received in Japan?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) Speaking at the ceremony for the exchange of Instruments of Ratification in Tokyo on the 13th June, 1960, the Foreign Minister of Japan said that he was confident that the Agreement would facilitate, in a large measure, trade and economic cooperation as well as cultural exchange between Japan and India which would lead to the furtherance of friendly relations between the two nations.

Technical Education in Punjab

615. **Shri Daljit Singh:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount given as grants-in-aid during 1960-61 so far to Punjab State for development of Technical Education; and

(b) the names of the institutes which have been given the grants?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). A sum of Rs. 9,01,917 has been sanctioned as grants for the following non-Government institutions:—

(i) Guru Nanak Engineering College, Ludhiana.

(ii) Mehr Chand Polytechnic, Jullundur.

(iii) Thapar Institute of Engineering & Technology, Patiala.

As regards State Government institutions, the State Governments receive automatically ways and means advances from the Central Government of a sum equivalent to 3/4 of the approved provision made for assistance to the respective States, in nine monthly instalments beginning with the month of May. Formal sanction of Central Government assistance for development of Government institutions will be given towards the end of the financial year on the basis of actual expenditure incurred by the State during the first three quarters and the anticipated expenditure during the last quarter.

Gold Smuggling

616. **Dr. Ram Subhag Singh:**
Shri Hem Barua:
Shri Madhusudan Rao:

Will the Minister of **Finance** be pleased to state:

(a) the total value of gold and other valuables seized by customs authorities at various sea and air ports during the year 1959-60;

(b) the number of persons prosecuted in the matter; and

(c) how many of them were foreigners?

The Minister of Finance (Shri Morarji Desai): (a) Rs. 1·68 crores approximately.

(b) 206.

(c) 64.

Foreign Coaches for Sports

617. **Shri Subodh Hansda:**
Shri R. C. Majhi:
Shri Nek Ram Negi:

Will the Minister of **Education** be pleased to state:

(a) whether foreign coaches for sports and games have been invited during 1960;

(b) if so, the number of such coaches; and

(c) what are the terms of contracts with them?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) and (c). A statement in respect of the foreign coaches who worked or are working under the aegis of the Rajkumari Sports Coaching Scheme is laid on the Table. [*See* Appendix I, annexure No. 96]. In addition, negotiations are afoot with foreign coaches for employment at the National Institute of Sports but no final decision has yet been taken in respect of the employment of any of these coaches.

New Township at Bilaspur

618. **Shri Subodh Hansda:**
Shri R. C. Majhi:
Shri Nek Ram Negi:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the construction of the new township at Bilaspur has been completed;

(b) if so, the number of families rehabilitated; and

(c) the total amount spent to rehabilitate the people?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The construction of the new township at Bilaspur is nearing completion. 250 families have already shifted to the Government sector. In the private sector, 63 residential buildings have been completed and another 218 buildings are under construction. 30 families have shifted to this sector.

(c) Upto June, 1960, a sum of Rs. 122.658 lakhs was spent on the construction of the new township against the project estimate of Rs. 154.47 lakhs. A sum of Rs. 7.83 lakhs has been advanced to the oustees as loans

under the Low Income Group Housing Scheme for building houses in the new township and another sum of Rs. 31,000 has been given as subsidy in the shape of building materials to Harijan oustees of the town.

Teaching in Polytechnics

619. **Shri Subodh Hansda:**
Shri R. C. Majhi:
Shri Nek Ram Negi:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether there is any proposal to train Diploma holders for teaching in polytechnics; and

(b) if so, when this scheme will be implemented and the total number of teachers to be trained?

The Minister for Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The All India Council for Technical Education has recommended that Diploma holders may be trained as teachers for polytechnics. Matters such as the determination of the various teaching positions available at polytechnics which require trained diploma holders, the nature and scope of their training, the centres where training may be organised etc. are being examined with a view to formulating a detailed scheme.

Violation of Foreign Exchange Rules

620. **Shri A. K. Gopalan:** Will the Minister of **Finance** be pleased to state:

(a) whether on or about the 14th September, 1959 premises of three firms in Calcutta were searched for violating the foreign exchange rules etc.; and

(b) the steps being taken against these firms since then?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Yes, Sir, the premises of three firms in Calcutta were searched by the Enforcement Directorate on the 15th September, 1959 for alleged violation of foreign exchange regulations. After investigation of these cases the Director of Enforcement has started adjudication proceedings against them. The proceedings are still in progress.

Water for Old Mint, Calcutta

621. **Shri Muhammed Elias:** Will the Minister of **Finance** be pleased to state:

(a) whether the attention of Government has been drawn to a news item which appeared in a Calcutta Daily regarding taking of thousands of gallons of water from Calcutta Corporation illegally by old Mint of Calcutta; and

(b) if so, what action has been taken by Government?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The report in the papers was misleading in certain respects. The position has since been explained to the Corporation and the arrangements for the use of filtered water during the period immediately preceding the monsoon will, it is hoped, be regularised.

Increase in Excise Duty on Diesel Oil

622. **Shri Parulekar:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the fishermen in Maharashtra State suspended their trade for a day in May 1960, as a protest against increase in excise duty on diesel oil;

(b) whether they have represented their case to Government asking for relief from increase in excise duty on diesel oil used for fishing purposes, as it has adversely affected their trade; and

(c) if so, what are the reactions of Government to their demand for relief?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The answer is in the affirmative.

(c) After very careful consideration, Government have come to the conclusion that it would not be practicable to accede to their request.

Mountain Warfare

623. **Shri Rameshwar Tantia:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that special training arrangements have been made for our Armed Forces to know mountain warfare; and

(b) if so, to what extent and in what manner this training is imparted?

The Minister of Defence (Shri Krishna Menon): (a) Training in mountain warfare is part of the training imparted to personnel of the Indian Army.

(b) It will not be in public interest to disclose the information.

Literacy Survey

624. **Shri C. K. Bhattacharya:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a literacy survey has been conducted in some cities in India;

(b) whether it is a fact that literacy has gone up to 40 per cent in 1959;

(c) whether it is a fact that literacy among women has increased fourfold; and

(d) whether it is also a fact that literacy has spread faster among women than men?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) to (d) The tabulation of the results of the pre-test of the first draft of the census questionnaire for the 1961 census, confined to small selected areas of each State, conducted by the Registrar General of India, revealed a literacy percentage of 40.7 percent as against 16·6 percent according to 1951 census. The corresponding figures for women are 28·8 percent as against 7·9 percent. These figures, however, are by no means indicative of the trend for either the whole of India or any of the States.

Legal Assistance to Scheduled Castes and Scheduled Tribes in Orissa

625. **Shri B. C. Mullick:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2679 on the 27th April, 1960 and state:

(a) whether Government have since received the complete information about the utilisation of the legal assistance granted to the State of Orissa for Scheduled Castes and Scheduled Tribes during the year 1959-60;

(b) if so, the total number of persons helped; and

(c) the amount of money involved?

The Deputy Minister of Home Affairs (Shrimati Alvia): (a) No, Sir.

(b) and (c) Do not arise.

Loans due from State Governments

626. **Shrimati Ila Palchoudhuri:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that State Governments owe to the Central Government large amounts advanced to them as loans;

(b) if so, the reasons for failure of the States to pay back;

(c) the total amount of arrears to be recovered from the States as at the close of the financial year 1959-60; and

(d) the names of States together with the amount due from each to the Central Government?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The loans are for different periods and are repaid as and when they fall due. No major defaults on the part of State Governments have been brought to notice.

(c) and (d). The accounts for the year 1959-60 have not yet been finally closed. A statement showing the amounts outstanding against each State at the end of 1958-59 is laid on the Table. [*See* Appendix I, annexure No. 97].

भिलाई में ढलव लोहे के पिण्ड

६२७. **श्री रामसिंहाई वर्मा** : क्या **इस्पात, खान और ईंधन** मंत्री यह बताने की कृपा करेंगे कि :

(क) ३० जून, १९६० तक भिलाई इस्पात कारखाने में ढलव लोहे और इस्पात के पिण्डों (बिलेट्स) का कितना स्टाक जमा था ; और

(ख) स्टाक जमा होने के क्या कारण थे ?

इस्पात, खान और ईंधन मंत्री (सरदार स्वर्ण सिंह) : (क) ३० जून, १९६० को भिलाई इस्पात कारखाने में २१,३०० टन ढलव लोहे और १३,५०० टन इस्पात के पिण्डों (बिलेट्स) का स्टाक था । ये केवल आधे महीने के उत्पादन को जाहिर करते हैं और स्टाक की हालत बिल्कुल ठीक है ।

(ख) प्रश्न नहीं उठता ।

L.I.C. Policies

628. **Shri Anirudh Sinha:** Will the Minister of **Finance** be pleased to lay on the Table a statement showing the number of policies issued by the different Divisions under the Eastern Zone of the Life Insurance Corporation during 1959?

The Minister of Finance (Shri Morarji Desai):

Division	*Number of Policies*
1. Calcutta	1,12,614
2. Asansol	24,020
3. Cuttack	14,374
4. Gauhati	41,525
5. Jalpaiguri	17,937
6. Jamshedpur	15,235
7. Mazaffarpur	15,797
8. Patna	20,685
TOTAL	2,62,187

Mid-day Meals for Students

629. **Shri Jinachandran:** Will the Minister of **Education** be pleased to state:

(a) whether any grants are allotted by the Centre to the States for Mid-day meals to students in primary schools;

(b) If so, the amounts allotted to Kerala during 1958-59 and for the current year;

(c) whether the Centre meets the full expenditure for this in all the States or the States are required to give matching contribution to supplement the Central grant; and

(d) whether mid-day meals are intended for all students irrespective of caste and whether there are any restrictions imposed in the distribution?

The Minister of Education (Dr K. L. Shrimali): (a) to (d). A statement is laid on the Table. [*See* Appendix I, annexure No. 98].

Tamarind purchase incident in Andhra Pradesh

630. **Shri T. B. Vittal Rao:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to a supplementary on Starred Question No. 1490 on the 14th April, 1960 and state:

(a) whether Government have since received any report from the State Government regarding the incident of tamarind purchase in Andhra Pradesh; and

(b) if so, the details thereof?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes, Sir.

(b) The Andhra Pradesh Government have reported that the incident is under police investigation on the basis of a complaint that some tribals got furious and beat officials of the Finance Corporation for having offered a low price for tamarind. The low price was offered due to a sudden fall in the prices.

Import Licences to Bombay Firms

631. Shri Parulekar: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 1640 on the 22nd April, 1960 and state:

(a) the names and designations of the three Government servants against whom charge-sheets have been filed; and

(b) at what stage is the prosecution case pending?

The Minister of Home Affairs (Shri G. B. Pant): (a) Shri C. S. Sharma, Upper Division Clerk, Office of the Chief Controller of Imports and Exports, New Delhi.

Shri A. G. Nelson, Assistant Controller, Office of the Joint Chief Controller of Imports and Exports, Bombay.

Shri S. N. Kulkarni, Licensing Assistant, Office of the Joint Chief Controller of Imports and Exports, Bombay.

(b) The case is pending in the Court of Special Judge, Bombay. The case has been fixed for 11.8.1960 for framing of charges.

Harijan Welfare

632. { Shri Halder: / Shri Nagi Reddy:

Will the Minister of **Home Affairs** be pleased to state:

(a) the amount of grant given to each State for Harijan Welfare during 1959-60;

(b) the amount spent by each State during this period;

(c) whether any State have not utilised whole of the grant given to them; and

(d) the reason for not utilising the grant?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) A statement giving the inofrmation is laid on the Table [*See* Appendix I, annexure No. 99].

(b) to (d). The information has been called for from the States and will be laid on the Table of the House as soon as received.

Government Officials' Relations in Private Firms

633. { Shri Halder: / Shri Nagi Reddy:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 1300 on the 21st March, 1960 and state the number of officers who have obtained permission regarding employment of their sons and near relatives in private firms which enjoy Government patronage so far?

The Minister of State in the Ministry of Home Affairs (Shri Datar): 84 officers had obtained permission upto March, 1960.

Sepoy's Ration

634. Shri Muhammed Elias: Will the Minister of **Defence** be pleased to state the amount of money given to a sepoy when travelling on leave in lieu of ration?

The Minister of Defence (Shri Krishna Menon): Rs. 2·25 nP. per day.

Pig Iron Allotment to Kerala

635. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the total quota of pig iron allotted to Kerala during 1958 and 1959; and

(b) the quantity actually supplied during those two years?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The information is furnished below:—

Year	Allotment in tons
1958	1,596
(1959 Jan. to June)	1,760

Quota-system was abolished from 1-7-59 and consumers were allowed to place indents direct on the Iron and Steel Controller for planning on Producers, or purchase direct from Controlled/Registered Stock-holders. During the period July—December, 1959, the Iron and Steel Controller received indents to the extent of 557 tons from parties in Kerala State, and all these were planned on Producers.

(b) Statistics of desptaches of pig iron to the various States prior to December, 1959 are not available. 487 tons of pig iron were despatched to Kerala States from December, 1959 to June, 1960.

Tobacco Cultivation

636. **Shri Ram Garib:** Will the Minister of **Finance** be pleased to state:

(a) how many cases of unauthorised cultivation of tobacco have been detected in the States of Punjab, Rajasthan and Uttar Pradesh during 1959 and during the current year so far; and

(b) how many cases were prosecuted and what penalties were imposed in each case and what were the estimates of crops in each case?

The Minister of Finance (Shri Morarji Desai): (a) and (b). A statement showing the available information is laid on the Table of the House. [*See* Appendix I, annexure No. 100].

Service Personnel in NEFA

637. **Shri J. B. S. Bist:** Will the Minister of **Defence** be pleased to state:

(a) whether the forces serving in the North Eastern Frontier Agency are receiving the emoluments and amenities which troops get while serving in an operational area; and

(b) if not, whether Government propose to consider the treatment of this area as an operational area on the pattern of Naga Hills and Kashmir?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The emoluments and amenities granted to Service officers and personnel, in addition to their normal pay and allowances etc., are indicated in specific orders in respect of each operational area. All Army officers and personnel serving in North Eastern Frontier Area and Air Force officers and personnel serving there in direct support of the Army, have been sanctioned certain concessions which are generally in line with those sanctioned to Service personnel serving in Naga Hills and Jammu and Kashmir.

12.12 hrs.

MOTION FOR ADJOURNMENT

REPORTED SPREAD OF TETANUS IN DELHI

Mr. Speaker: There is an adjournment motion which has been standing over:

> "Widespread panic among the public of Delhi due to spread of tetanus which has claimed nearly 200 lives in Delhi recently and the failure of the Health Ministry of the Government of India to deal with the disease adequately."

I have asked the hon. Minister to make a statement on that.

Shri Braj Raj Singh (Firozabad): Sir, may I submit that even during the last year about 200 persons died due to this disease and the victims have been either babies or women who had had abortions. These are the persons who die in the hospitals and some 400 such cases were admitted last year upto July. This year about 350 cases had already been admitted and before the end of this year about 700 cases might be admitted in the Willingdon and Safdarjang hospitals. Nobody knows how many persons have died outside these hospitals.

Mr. Speaker: I am not allowing a discussion just now. I have allowed the hon. Minister to make a statement.

The Minister of Health (Shri Karmarkar): I should like to share with the House the information that I have had since yesterday when this question was tabled. Tetanus is caused by the tetanus bacilli. The main source of infection is from soil, street dust and animal faeces and the individual is infected through a direct or indirect contamination of a wound. This disease is not communicable from man to man. It has been ascertained from the Willingdon Hospital, the Irwin Hospital and the Hospital of the All India Institute of Medical Sciences that there has been no increase in the number of tetanus cases usually admitted to these two hospitals. The following figures of tetanus cases have been reported from hospitals in Delhi.

Safdarjang Hospital (From January to July 1960)—Total cases admitted 88; death 47. Willingdon Hospital—cases admitted—1; death—1; All India Institute of Medical Sciences cases admitted—1, death—1; Irwin Hospital (From January to August 1960) total cases admitted 317. Mortality in 1960 varied between 26 per cent. in June 1960 to 47 per cent. in April 1960. Deaths in Municipal Corporation of Delhi Hospitals amounted to 69 and deaths in the New Delhi Municipal Committee Hospitals amounted to 22. Government are not aware of any panic in the public of Delhi on this account.

I should like to add that I am having a thorough study made of the incidence of tetanus in the previous year and this year and if any particular improvements could be made in the hospitals or otherwise, I am having them made and I shall keep the House informed after the enquiry is over.

Shri Braj Raj Singh: My purpose in moving this motion was this. It is the direct responsibility of the Health Ministry to deal properly with these cases. Whatever has been divulged by the hon. Minister to this House shows that the incidence of this disease is on the very high side. He has given the figures about the hospitals. Nobody knows how many deaths have occurred outside the hospitals. They should take some effective steps to check the disease. The hon. Minister's remark that he has no information of any panic in Delhi is very sad. I do not know how he has

[Shri Braj Raj Singh]

come to know of this. As a matter of fact this is just laughing over the miseries of the people.

Mr. Speaker: Nobody laughs over these things. I do not know if the hon. Member wants a diection to be given to the hon. Minister that all cases of deaths due to such diseases should be reported to the House from time to time. The hon. Member does not say that it is not an epidemic. Tetanus occurs when a man falls down and there is bleeding and unless he takes some precaution, it may later on end in tetanus. Unless it is said by any hon. Member here that it has been declared to be an epidemic, there is no need for the hon. Member to urge that steps be taken here or that it is not being dealt with properly. I am not allowing the calling attention notices to be utilised as motions for discussion of these particular matters. It is only a matter of information.

Shri S. M. Banerjee (Kanpur): The hon. Minister said that after the Press Reports appeared he collected the figures. I want to know whether in all the rural and urban hospitals the anti-tetanus injections are not given unless the patients purchase them from outside? May I know whether any arrangement has been made in the rural areas for this because the disease is increasing there?

Mr. Speaker: The hon. Member wants to make it free.

Shri Karmarkar: I shall make enquiries. But subject to those enquiries, generally I believe that upto a particular income level, no charges are made. Beyond that level charges are made as they ought to be made. But I shall make an enquiry. An indigent patient, I am quite sure, is charged nothing because he has nothing to pay.

Shri Braj Raj Singh: In tetanus death occurs immediately, within 4, 8 or 12 hrs. Is it possible for any doctor to verify about the income and then give the injection?

Shri Karmarkar: I hope the House would not be misguided by people who do not know anything about medicine. I had myself a patient in the home and my domestic servant died full four days afterwards. He did not die within four hours.... (*Interruptions*).

Mr. Speaker: Tetanus may arise long after the incident. A man falls down in the street and something gets into the blood. It may have its reaction many days later. What a man does is that as soon as he gets the injury and he has a bleeding wound he gets injected. There is sufficient time for him to purchase the serum and then have the injection. Why should persons who can pay be helped? That is the attitude of the hon. Minister. Those who cannot pay will be helped with free injections. Now, let us proceed to the next business.... (*Interruptions*).

Pandit Thakur Das Bhargava (Hissar): What is the price of one doze of serum?

Mr. Speaker: Only people who go to the hospital will get it. How can we drag people to the hospital? Let us go to the next business.

RESIGNATION OF A MEMBER

Mr. Speaker: I have to make a small announcement. I have to inform the House that Shri Mathuradass Mathur has resigned his seat in Lok Sabha with effect from today, the 11th August, 1960.

12.20 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS ISSUED UNDER GOVERNMENT SAVINGS CERTIFICATES ACT, GOVERNMENT SAVINGS BANKS ACT AND PUBLIC DEBT ACT.

The Minister of Finance (Shri Morarji Desai): Sir, I beg to lay on the Table—

(i) A Copy of the Post Office Savings Certificates Rules,

1960, published in Notification No. G.S.R. 711 dated the 25th June 1960 under sub-section (3) of Section 12 of the Government Savings Certificates Act, 1959. [*Placed in Library. See* No. LT-2263/60].

(ii) A copy of the Post Office Savings Banks (Nomination) Rules, 1960, published in Notification No. G.S.R. 730, dated the 2nd July, 1960, under sub-section (3) of Section 15 of the Government Savings Banks Act, 1873. [*Placed in Library. See* No. LT-2264/60].

(iii) A copy of each of the following Notifications under sub-section (3) of Section 26 of the Public Debt Act, 1944:—

(a) G.S.R. 846 dated the 30th July, 1960 making certain amendments to the Public Debt (Annuity Certificates) Rules, 1954.

(b) G.S.R. 847, dated the 30th July, 1960 making certain amendments to the Public Debt (Annuity Certificates) Rules, 1954. [*Placed in Library. See* No. LT-2265/60].

ANNUAL REPORT OF REGISTRAR OF NEWSPAPERS FOR INDIA

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): Sir, on behalf of Dr. B. V. Keskar I beg to lay on the Table a copy of the Annual Report (Parts I and II) of the Registrar of Newspapers for India for the year 1960. [*Placed in Library. See* No. LT-2266|60].

NOTIFICATIONS ISSUED UNDER ALL-INDIA SERVICES ACT AND MADHYA BHARAT BHOODAN YAGNA BOARD (RECONSTITUTION) ORDER.

The Deputy Minister of Home Affairs (Shrimati Alva): Sir, on behalf of Shri B. N. Datar, I beg to lay on the Table:

(1) A copy of each of the following Notifications under sub-section (2) of Section 3 of the All India Services Act, 1951:

(i) G.S.R. 833, dated the 30th July, 1960 making certain amendment to the All India Services (Discipline and Appeal) Rules, 1955.

(ii) G.S.R. 835, dated the 30th July, 1960.

(iii) G.S.R. 836, dated the 30th July, 1960 making certain further amendments to the Indian Police Service (Recruitment) Rules, 1954.

(iv) G.S.R. 837, dated the 30th July, 1960 making certain further amendment to the Indian Police Service (Pay) Rules, 1954.

(v) G.S.R. 838, dated the 30th July, 1960 making certain further amendment to the Indian Police Service (Regulation of Seniority) Rules, 1954.

(vi) G.S.R. 839, dated the 30th July, 1960 making certain amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.

(vii) G.S.R. 840, dated the 30th July, 1960 making certain amendment to Schedule III to the Indian Police Service (Pay) Rules, 1954.

(viii) G.S.R. 842, dated the 30th July, 1960 making certain amendment to Schedule III to the Indian Administrative Service (Pay) Rules, 1954.

(ix) G.S.R. 843, dated the 30th July, 1960 making certain further amendment to the

[Shrimati Alva]

All-India Services (Death-cum-Retirement Benefits) Rules, 1958. [*Placed in Library. See No.* LT-2267/60].

(2) A copy of the Madhya Bharat Bhoodan Yagna Board (Re-constitution) Order, 1960, published in Notification No. G.S.R. 762, dated the 9th July, 1960, under sub-section (5) of Section 4 of the Inter-State Corporations Act, 1957. [*Placed in Library. See* No. LT-2268/60].

NOTIFICATIONS ISSUED UNDER ESTATE DUTY ACT, MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES) ACT AND SEA CUSTOMS ACT AND CENTRAL EXCISES AND SALT ACT.

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Sir, I beg to lay on the Table:

(i) A copy of Notification No. S.O. 1849, dated the 30th July, 1960, under sub-section (3) of Section 85 of the Estate Duty Act, 1953. [*Placed in Library. See No.* LT-2269/60].

(ii) A copy of each of the following Notifications under sub-section (4) of Section 19 of the Medicinal and Toilet Preparation (Excise Duties) Act, 1955, making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956:—

(a) G.S.R. 820, dated the 23rd July, 1960.

(b) G.S.R. 848, dated the 30th July, 1960. [*Placed in Library. See* No. LT-2270/60].

(iii) A copy of each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960:—

(a) G.S.R. 849, dated the 30th July, 1960.

(b) G.S.R. 852, dated the 30th July, 1960. [*Placed in Library. See No.* LT-2271/60].

(iv) A copy of Notification No. G.S.R. 855, dated the 30th July, 1960, under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944. [*Placed in Library. See* No. LT-2272/60].

STATEMENT RE: FAMINE CONDITIONS IN DARBHANGA AND MUZAFFARPUR DISTRICTS

Mr. Speaker: Shri Anirudh Sinha.

An Hon. Member: He is not here.

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): Sir, shall I lay it on the Table of the Sabha?

Mr. Speaker: All right.

STATEMENT

Last year, owing to inadequate rains, there was heavy shortfall in the production of rice in the Sadar and Madhubani sub-divisions of Darbhanga district and Muzaffarpur and Sitamarhi sub-divisions of Muzaffarpur district. For want of rains the rabi crops in these four sub-divisions were also adversely affected. The failure of crops created shortage of foodgrains in these four sub-divisions.

The production in other parts of Bihar, however, has been fairly good. Production of rice in Bihar this year was 3·9 million tons. Although this was lower than the production in 1958-59, it was higher than the production in all other years during the last decade. It was also substantially higher than the average production during the previous five years.

2. There is no restriction on the internal movement of foodgrains in Bihar and adequate quantities of foodgrains are, therefore, moving from other parts of Bihar to the four scarcity-affected sub-divisions of Darbhanga and Muzaffarpur districts.

3. We have also been supplying quite large quantities of foodgrains from Central stocks to Bihar for distribution in the State. Up to the end of July, 1960, about 3·5 lakh tons of wheat and 34 thousand tons of rice have actually been made available from Central stocks. On August, another about 80 thousand tons of wheat and 30 to 40 thousand tons of rice will be supplied to the State. In 1959, the total supplies of all foodgrains taken together was about 3·4 lakh tons. Thus, this year much larger supplies of foodgrains are being made from Central stocks.

4. From the point of view of availability of foodgrains in the four sub-divisions, there is, therefore, no difficulty. The Government of India are meeting in full the demand of the Bihar Government to enable them to meet the needs of these sub-divisions as also of other parts of the State. Since the purchasing power of the people of these sub-divisions has been adversely affected because of the failure of both kharif and rabi crops, the Bihar Government have taken several measures to provide relief to the affected population of these sub-divisions. A number of hard manual labour schemes have been sanctioned to provide work for able-bodied people in these sub-divisions. Besides these purely relief schemes, a number of sanctioned schemes are in execution in this area providing additional employment. In order to provide light work for people who cannot do hard manual labour, schemes for subsidised sale of yarn spun by the affected people have been introduced. For this purpose funds have been placed by the State Government at the disposal of the district officers.

5. In order to enable the cultivators to undertake cultivation in their fields, various kinds of loans have been granted by the State Government.

6. Gratuitous relief centres have also been opened in the affected sub-divisions. About 12,000 gratuitous relief cards have been distributed for supply of foodgrains gratuitously.

7. At present, over 9,000 fair price shops are functioning in Bihar for distribution of foodgrains at concessional prices. Of these, about 1,460 are in Darbhanga district and about 1,340 in Muzaffarpur district. The Bihar Government are issuing wheat at Rs. 14 per maund and rice at Rs. 19 per maund ex-their godowns for distribution through fair price shops. As a special concession, the price of milo has been reduced from Rs. 11 to Rs. 8 per maund.

8. The Bihar Government are confident that with the various measures taken by them they will be able to meet the situation created by the crop failure in this area.

12.24 hrs.

TAXATION LAWS (AMENDMENT) BILL—*contd.*

Mr. Speaker: The House will now take up further consideration of the following motion moved by Dr. B. Gopala Reddi on the 10th August, 1960, namely:

> "That the Bill further to amend the Indian Income-tax Act, 1922, the Wealth-tax Act, 1957, the Expenditure-tax Act, 1957 and the Gift-tax Act, 1958, be taken into consideration."

[Mr. Speaker]

Out of 4 hours allotted for all the stages of this Bill, 2 hours and 35 minutes have already been taken. One hour and 25 minutes are left. Yesterday we agreed that 3 hours will be spent on the general discussion and one hour may be kept for the other stages of the Bill. I find that there are only a few amendments. Therefore, if hon. Members are willing we can have half an hour more for the general discussion and keep only half an hour for the other stages.

Shri Harish Chandra Mathur (Pali): A little more time will be required for this Bill, Sir, because, you will find, every hon. Member who spoke on this has asked for the Bill to be referred to a Select Committee and, quite unexpectedly, certain important points have come up.

Mr. Speaker: No hon. Member has tabled any amendment. I have looked into it. Suggestions might have been made, but no amendments have been tabled. Vague suggestions have been made based on the recommendations of the Tyagi Committee's report. Even with the best of efforts it may not be possible to incorporate them. They are suggestions for regulations to be issued. Moreover, a comprehensive Bill is also coming up.

Shri A. C. Guha (Barasat): It is for the Government to accept the suggestion. Practically every hon. Member has asked for the Bill to be referred to a Select Committee. Now the Government may in deference to the wishes of the House come out with a motion for referring the Bill to a Select Committee.

Mr. Speaker: What is the Select Committee to do?

Shri A. C. Guha: That is another thing.

Shrimati Renuka Ray (Malda): It is on those suggestions that a Select Committee is required.

Shri A. C. Guha: No. that is not possible.

Pandit Thakur Das Bhargava (Hissar): Already some hon. Members have suggested certain amendments. They can be gone into in the Select Committee. This is not the first time when a matter like this has come up. Government has previously agreed to have a Select Committee when requested by the House even though there was no motion.

Mr. Speaker: The hon. Member is aware that the scope of an amending Bill is limited. If there are a number of suggestions relating to the particular sections that have been dealt with under the Bill, they cannot be disposed of here and there are amendments already tabled, certainly, they may be sent to a Select Committee. But if they are all other matters which could be gone into, the hon. Minister has said that he will bring a comprehensive Bill. Under those circumstances, even if this is referred to a Select Committee those other matters may not arise out of this Bill, out of the provisions contained in this Bill. Therefore, there is no purpose in sending this to a Select Committee. As I said, we will extend the time for general discussion by half an hour and finish the other stages in half an hour.

Shrimati Renuka Ray: Certain points were made here yesterday during the discussion in the House which are definitely within the scope of this Bill. Is it not posssble for the hon. Minister to refer the Bill to a Select Committee to consider those points?

Mr. Speaker: I leave it to the Minister to give his reaction when he replies. Now, Shri Tyagi was in possession of the House yesterday. He has already taken eight minutes. He may continue his speech.

Shri Tyagi (Dehra Dun): Mr. Speaker, Sir, yesterday I was dealing with the problem of the most unhealthy atmosphere of distrust between the assessees and the department which is dominating over all the

activities of Revenue Department. The result is that the State is having a very great deal of loss of revenue. Our Committee's recommendations were conceived on a pattern which we all hoped would bring back that old atmosphere and would re-establish a sense of confidence, goodwill, justice and fairplay both among the assessees as well as the department. Therefore, Sir, we were expecting that a balanced Bill would be forthcoming, a Bill which would create trust in the minds of all concerned. Trust begets trust. If the Department itself makes a beginning and shows a hand of trust as a gesture that would react on the assessees, and thus there would be a new relationship of mutual confidence and trust established. It was on that pattern, in a way, that our recommendaions were based.

Sir, if the hon. Minister had waited for two more months, by which time the comprehensive Bill would have been ready, this Bill would not have had its adverse effect. At present what is happening is this. Every time there is some stricter measure, one grade stricter than the previous one, just to check evasion. I am afraid, Sir, evasion cannot be checked by means of any administrative measure, by means of any Acts. It can only be checked by a wholesale change of the climate in the country, by a change of the relationship between the assessees and the department. It is for that purpose that in the United States of America, for instance, there is no factual assessment. The assessees submit their returns of income and they are accepted on their face value. Income-tax is realised on that basis. Not much of staff is needed in that case. There is also a sense of trust. The assessee is trusted and his return is accepted as it is. But it is not left at that. Every four years they make a thorough scrutiny of one year's return of practically every assessee. Every four years a surprise check is made. If in that surprise check any discrepancy is found out or any evasion is found out, the assessee concerned is not left on this side of the gates of the jail but he goes behind the bars and he is severely dealt with.

12.28 hrs.

[SHRI MULCHAND DUBE *in the Chair*]

There it begins from mutual trust. If that trust is betrayed the party which betrays that trust is punished. There is also the law against evasion. So, that sanction of law is also on the minds of the assessees.

But, Sir, this was too much of a risk. In the present conditions of the country our Committee could not recommend this system here in India, because it will be a wholesale trust on one side without knowing how the other side would react. Therefore, we did not think it fit to make that recommendation. But we have suggested that in the case of the smaller assessees who take away a major portion of time and energy of our officers—most controversial cases are the smaller ones—the American system could be applied. We have recommended that in the case of assessees below an income of Rs. 7,500 per year the American system could be applied, their returns could be accepted on their face value and income-tax realised in cash immediately as they come with their returns to the office and, as in America, every four years a scrutiny held. We have suggested that the same procedure can be adopted here. That we thought would create a general atmosphere of goodwill and confidence and also fairplay.

If the proposal contained here of publicising the names of those who have given any penalty or those who have evaded income-tax was accompanied by the other gestures as suggested by us, that would have created a better atmosphere. Now, it is only one-sided. Therefore, I still insist and I implore, that the Government should see reason. After all, the passing of this Bill will also take some time. Therefore, I would suggest that if they withhold this measure and then come out, as they are promising, within three months or so with a comprehensive Bill, it will be a better thing and that will have a

[Shri Tyagi]

better effect on the minds of the people.

Now, if a sense of honesty, integrity and fairplay is essential in all Government departments, it is more so in the department of revenue. Therefore, while we in the comm.ttee made this drastic recommendation that the names of people who are convicted and who have evaded income-tax should be published, the Committee also, on the other side, made another recommendation which, if it were also included in the present Bill, would be well-received by the public. That recommendation was on the l.nes of the provisions of section 13 (3) of the United Kingdom Income-tax Act. The United Kingdom Income-tax Act has a provision which reads as follows:

> "Whosoever wilfully makes a false and vexatious surcharge of tax or wilfully delivers or causes to be delivered to the Commissioner a false and vexatious certificate of surcharge or a false certicate of object.on to any supplementary return, in a case of surcharge, or knowingly or wilfully through favour under-charges, under-estimates or omits to charge any person or is guilty of any fraudulent, corrupt or illegal practice in the execution of his office shall, for any such offence incur a penalty of £100 or on conviction shall be discharged from the office forthwith."

Such are the provisions controlling the attitude or the manner in which the officer has to work. They will also control those persons who acted in a foul manner, that is, who were bribed or were proved to be corrupt and who wilfully did any damage to the assessee's interest or did any othr injustice. That provision has been made there. So, if along with the present measure, a similar provision is also incorporated, the assessees will see that it is fairplay and, it would create a better atmosphere.

Coming to the Bill as it is, let me first refer to clause 9. It says:

> "(a) persons on each of whom a penalty amounting to not less than five thousand rupees or such lower amount as may be fixed by the Central Government, by notification in the Official Gazette, has been imposed at any time on or after the 1st day of April, 1960..".

So, the names of persons involved in the concealment of income, who had been given a penalty of Rs. 5,000 or more, would be published. That is quite all right. But we had suggested the publication should take place only when the case has reached a conclusion, that, is, when the final appeal has been decided. It is not as if it can be done immediately after the appeal to the Appellate Assistant Commissioner is over.

Here, I may inform the House that there was a unanimous demand on behalf of the people that the Appellate Assistant Commissioner must be transferred from the control of the Central Board of Revenue to that of the Law Ministry and our Committee was inclined to agree with that suggestion. Agreeing with that suggestion would not make any difference. So, if that recommendation of the Committee were also accepted and a provision to that effect was made along with the present provisions in the Bill, there would be less doubt about the whole thing and the people will take the measure in a better light than what the present position today is likely to envisage. Anyway, that is another matter. Publicity is to be given to those names of those persons who had been offenders. Nobody would resent that. But immediately after this clause, there is another clause which reads thus:

> "(2) If in the interests of revenue the Central Government considers it necessary so to do, it may also cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—
>
> (a) persons on each of whom a penalty has been imposed at any time on or after the 1st day of

April, 1960, under clause (a) or clause (b) of sub-section (1) of section 28; or".

It means that the Government are going beyond the recommendation made by the Committee. We had recommended the publication of the names of those persons only who were charged of evasion and if that evasion was proved. But there are many other cases where penalty is to be imposed. There is a penalty up to one and a half times the tax due from a person who, even after reading the notification in the newspapers, fails to submit the return. Every year, some dates are published in the press by way of advertisement to the effect that every assesssee is required to submit his return of income within such and such a date. So, if any assessee fails to take notice of that advertisement of the income-tax officers and does not submit his return within the prescr.bed date, he is liable to be given a penalty which is one and a half times the income-tax due. Now, the Government wants to have the liberty of publishing the names of even those persons who have not evaded the payment of income tax at all but who by a day or two or by a month or two delayed the submission of their returns. I think that the publication of the names of such persons is unfair. Why do the Government take this liberty and create unnecessary alarm in the world assessees. It would not give good returns. Why tease the assessee? The assessee is like the cow. For milching it every now and then, it requires a little careful handling. It cannot yield milk if it is alarmed. If you alarm it, immediately the milk dries up.

Shri Harish Chandra Mathur: It should be done to the tune of music. The hon. Member has suggested some music!

Shri Tyagi: You have to court the cow, so to say, to draw the milk. It is not easy. You have to see to it that the cow is in such a mood as to yield milk. Likewise, the assessees must be made to come and yield their taxes without being alarmed.

There is another provision which says that when notices are issued under section 22 (2) by the income-tax officer, and if the return is not submitted within such and such a date, if the return is delayed, then the assessee is liable to a penalty of one and a half times the tax.

Then there is another clause under which proof of some returns is demanded. If the proof is not submitted in time, within the prescribed date, the assessee is liable to a penalty of one and a half times the income-tax due. Sometimes, the accounts are demanded of registered firms and if the profits are not properly distributed, there is a penalty! Of course, for concealment of income, there is a penalty prescribed. Nobody would object to it. But then the penalty is imposed for other reasons and on other grounds also. If the assessee is a big person or if the amount due is large, the punishment may be more than Rs. 5,000. So, the names of such persons will also be published along with the names of the people who had concealed the income. There may be cases where the assessee may be a good man but who, for some reason, might submit his return late. If some information is asked for under section 44 (e) (vi) and it is not complied with, the person gets a penalty of Rs. 500. His name also will be published. I say that that would be wrong.

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Not under section 46. It is only under section 28.

Shri Tyagi: The penalty clauses are so many. I am sorry. What I mean to say is, in very many of these cases, the names of persons should not be published. These are the major points which I just wanted to impress upon the Minister. Some colleagues of mine were very anxious to oppose this very policy of publicity. But I am in support of publicity. This clause about publication or publicity finds a

[Shri Tyagi]

place not only in India but in other countries also. There are other countries where publicity is resorted to. For instance, in Australia, they publish the list of evaders of income-tax or the offenders of income-tax laws. In the U. S. A. the punishments are publicised. In Sweden, the Registration Law requires that the concerned names must be registered. The register is open for inspection. Along with the name, the amount of assessment, the income, and indeed everything pertaining to the case is mentioned. In Norway, the figures of capital and income are available for public inspection for a month. In Italy, both declared income and official estimate are published and they are of considerable advantage to the exchequer. In France, recently they have begun to publicise the names of tax-payers and the amount of tax. They are open for inspection in every French town hall; the registers are there. They have done this with great advantage to the exchequer.

We only made the recommendation that the income of the person as submitted by him may be published and not any assessment. We suggested that we might give publicity to the income as returned by the assessee himself, that such and such assessee has returned so much income. If that was published, there would be no harm, because the responsibility will also be of the assessee himself and there is no question of any appeal or adjudication. We are publishing whatever he has given.

I would again insist that the Minister might look into this. Generally in this House, amendments of any nature are not accepted nor are the opinions respected.

Dr. B. Gopala Reddy: Opinion is respected.

Shri Tyagi: The House is losing interest in the proceedings, because everybody in the House knows that an amendment will never be accepted. That has become a convention. It seems to me that Government have of late taken into their head that any acceptance of any amendment is a no confidence. I want to assure him, they will win the confidence of even the opposition parties if the Government were to show the same attitude to the Members as I expect the income-tax officers to show to the assessees. I want the treasury benches to show the same type of goodwill to other Members on this side of the House. If they listen to the Members and to their reactions and generally try to abide by their wishes, then it will be a law passed by Parliament. Otherwise, it is a law put forth by the Government and voted by the majority behind them. What I want is, let every party in the country know that the law passed by the Parliament has the contribution of all the parties, both in the opposition and on this side. I, therefore, suggest that we might re-establish our old practice, according to which amendments were thoroughly looked into by the Minister. He did not depend on the advice drawn from the official gallery. He was self-sufficient and he could accept anything if he was satisfied.

Shri Tangamani (Madurai): Sir, the hon. Minister while introducing this amending Bill explained the objects and reasons which prompted him to bring forward such a Bill. A preliminary objection was raised that in this Bill that several matters are sought to be included. I can understand a position like amendment of section 59A of the Income-tax Act, section 42A of the Wealth Tax Act, section 38A of the Expenditure Tax Act and section 41A of the Gift Tax Act by clauses 9, 11, 12 and 13. All these clauses deal with identical matters and many Members of this House have drawn pointed attention to these clauses.

There are also other clauses, *viz.*, clauses 2, 4, 5, 6, and 8 dealing with completely different subjects; they deal with amendments of certain sections of the Income-tax Act. All that the Statement of Objects and Reasons says is:

> "to make certain amendments to the Income-tax Act which have become necessary owing to some

judicial decisions and in the light of the experience gained in the working of the Act. Some of these amendments are of a clarificatory nature while some others are intended to give relief to assessees or to facilitate collection of tax."

This, I submit, is very general. We have not been told why these amendments were thought to be necessary. For example, clause 2 secures exemption in respect of income from "Salaries" of a non-resident non-Indian employee of a foreign shipping concern where his total stay in the taxable territories during the year does not exceed ninety days. It also deals with the income received in respect of the small savings securities. I would like to know, at least when the Minister replied, why such a clause was made necessary, how it helps certain interests and how many people are going to be benefited as a result of this.

Dr. B. Gopala Reddy: This is the existing practice also.

Shri Tangamani: If that is the existing practice, where is the need for bringing an amenrment now?

Clause 4 seeks to amend section 10 to provide that development rebate will not be admissible in respect of road transport vehicles and office appliances. Although it is a welcome feature, we must be told in which cases such development rebates are allowed and how important it is that such a rebate should not be extended to road transport.

Clause 5 seeks to amend section 15B of the Income-tax Act for extending the tax exemption to donations made to Government or local authority, provided the donations were utilised for a charitable purpose, as defined in the Act. I would like further explanation of this from the Minister.

Clause 6 deals with contribution of the employees to his individual account in a recognised provident fund. Those have also to be included in his total income, though they are exempted from the income-tax under section 58F. I do not know whether this is going to affect adversely an ordinary employee who is going to be brought in under the compulsory provident fund now. I require some clarification from the Minister in that regard.

Clause 8 amends items 2, 4 and 5 of the list of the basic industries mentioned in section 56A of the Income-tax Act for extending the benefit of that section to a larger number of such industries. On first reading, I feel it is really unfair to extend these benefit to the various industries. Section 56A says:

> "No super-tax shall be payable by a company on such part of its total income as consists of dividents received from an Indian company formed and registered after the 31st day of March, 1952, where—
>
> (1) the Central Government is satisfied that the Indian company is wholly or mainly engaged in an industry for the manufacture or production of any one or more of the following—
>
> (2) Iron and steel;"

Now item (2) is extended to iron and steel, ferro-alloys and special steels. Item (4) deals with heavy chemicals including fertilisers. Now it is sought to be expanded to include chemicals other than fertilisers of the following types. Then a big list is given and heavy machinery used in textile industry, etc. I submit there is absolutely no justification for enlarging these items. The items which were already included under the original section 56A (1) will suffice. That will be my submission regarding the various clauses which do not come under the main object of the Bill, *viz.*, the question of giving effect to Government's decision to relax the secrecy provisions. I would again submit that an explanation is necessary for introducing these clauses 2, 4, 5, 6 and 8.

[Shri Tangamani].

Now I shall come to the main point, viz., the question of clauses 9, 11, 12, and 13.

I must submit that whatever recommendations have been made in the Tyagi Committee Report regarding this particular matter have not been fully and completely followed. What the Tyagi Committee wanted was the publication of the names of all defaulters in the administration report. They have also suggested that the appellate authority should not be under the Ministry of Finance. It could be, as some hon. Members have suggested, under the Ministry of Law or Home Ministry. They have also suggested that the punishment to be inflicted must be deterrent and there must be some changes in the administrative set up. They have also suggested that a retired income-tax officer should be prohibited from practising within two years of his retirement. Although we are adopting these amendments to the Income-tax Act, Wealth-tax Act, Expenditure Tax Act and the Gift Tax Act, unless the administrative set up is suitably altered the defects cannot be rectified. The suggestions made by the Tyagi Committee have not been incorporated in this Bill at all.

I will mention only a few figures to show how necessary it is that a legislation such as this with more deterrent powers should be brought farward. In reply to Unstarred Question No. 952 on 27th August, 1957 it was stated that as on 1st April, 1957 the arrears of income-tax was Rs. 209·67 crores. But there are certain revealing figures in the same answer itself. From the same answer I find that the pending income-tax cases were 15 lakhs and odd on 1st April, 1954, 14 lakhs on 1st April, 1955, 13 lakhs on 1st April, 1956 and 12, 21, 121 on 1st April, 1957. So these cases have been accumulating. There are more cases than the number of assessees. So, it is not a very healthy state of affairs.

Another point I would like to mention is the reply which was given to S.Q. No. 608 on 5th December, 1958. It mentioned that the arrears of income-tax collection as on 1st July, 1958 was Rs. 247:68 crores. Then it mentioned about the bad money and also about the effective arrears about which some reference was made by my hon. friend, Shri Prabhat Kar. In reply to another question, Unstarred Question No. 1230 on 10th December, 1958 it was stated that the total incometax arrears from assessees from whom arrears of tax demands exceed Rs. 1 lakh was on 13th January, 1958 about 154 crores. So, the average of arrears of tax was Rs. 1 lakh or more and the number of assessees 1,500. These 1,500 people who contribute the bulk of the arrears have been able to hold the Government to ransom. So, I would like the hon. Minister to really apply his mind to the evaders less than 1,500 according to the figures which were given to us on the floor of this House on 10th December, 1958.

Now we are thinking of amending not only the Income-tax Act but also the Wealth-tax Act and the Expenditure Tax Act. On 18th November, 1959 in answer to Unstarred Question No. 145 we were told that the total number of persons registered for expenditure tax up to 30th September, 1959 was 7,767 and the amount of tax levied from 1st April, 1959 to 30th September, 1959 was Rs. 20·12 lakhs, that is, not even Rs. 350 per assessee. Then, on 22nd July, 1957 in reply to Unstarred Question No. 164 we were told that estate duty outstanding on 30th June, 1957 was Rs. 1:15 crores. So. it is clear that the amount of tax due from expenditure tax and estate duty is very little. Regarding the arrears I have also stated that it is only from a handful of people. Under these circumstances, it is necessary that suitable amendments must be brought by the Government to include the various recommendations of the Tyagi Committee Report, which would mean deterrent punishment to the evaders.

Again I would like to repeat that it is necessary that the hon. Minister explains to us why these various clauses, clauses other than those dealing with the penal provisions, were brought here. I am very glad that very soon, in the next session, a comprehensive Bill is going to be brought which will embody many of the recommendations of the Tyagi Committee Report.

Shri Harish Chandra Mathur: Mr. Chairman, I had least expected that through this Taxation Law Amendment Bill the hon. Finance Minister would give this onslaught on the poor transport industry.

Shri M. R. Masani (Ranchi-East): Through the back-door.

Shri Harish Chandra Mathur: I least expected....

Shri M. C. Jain (Kaithal): Is the indusetry so poor?

Shri Harish Chandra Mathur: I least expected this because I thought that if he had any respect for the criticism and comments that had been offered on the floor of this House, if he had cared even to go through the Report which had been prepared by the Road Transport Re-organisation Committee and come to know what the state of affairs was, he would have definitely considered it necessary to revise his opinion. An hon. friend of mine just now asked from the back whether the road transport industry is a poor industry. I think his eye is fixed on certain big contractors and certain big concerns who make a little money. He forgets that there are lakhs and lakhs of people who are having only one vehicle at their disposal. They would be adversely affected by this Bill. He also forgets the number....

Shri M. C. Jain: Such people are not affected by income-tax laws.

Shri Harish Chandra Mathur: It is not a question of income-tax. It is the rebate which they are going to refuse, it is the depreciation which they are going to refuse....

Shri M. C. Jain: They do not get any rebate if they are not paying any income-tax.

Shri Harish Chandra Mathur. I think there should be some scientific study of the whole question and we must go by certain principles. We must not go in an *ad hoc* manner without any background information, without any study, without any research and do what we like simply because there was a question of cars. They thought that cars should not be exempted originally, but now they want to tax not only cars but other transport also. Here I would like to invite the attention of the hon. Minister to a clear recommendation made by his Committee at page 32 and I would wish him to meet the argument which had been given. It is no use making a general allegation here or there. I am reading para. 63 on page 32:

> "In the past the road transport industry was being granted an initial depreciation allowance of 20 per cent. on new vehicles put on the road but from 1956-57 in view of the introduction of the development rebate of 25 per cent. the initial depreciation allowance has been withdrawn."

Let him remember this.

> "It has been represented to the Committee that the development rebate is granted to the shipping industry and plant and machinery but not to the road transport industry.

13 hrs.

> "The result is that the road transport industry has lost the initial depreciation allowance which it was formerly receiving and it is being denied the development rebate which is supposed to have replaced it. Since road

[Shri Harish Chandra Mathur]

transport is an essential industry and is recognised as such by the State and Central Governments, we find it difficult to reconcile ourselves to the present position and suggest that the grant of development rebate to the road transport industry in the same manner as it is given to the shipping industry and other scheduled industries may be considered."

Now, you say you take away this depreciation because the rebate is there, and you take away the rebate. I think the hon. Minister should give a proper consideration to this matter. It appears to me that somebody in the Finance Ministry is allergic to road transport.

I wish them also to realise what are going to be the implications of this. On the one hand they are advocating that all the State Government who are running road transport should form corporations and it is only to the corporations that they will give assistance. But by taking such measures they are deterring the State Governments from forming themselves into such corporations. Because, they know that they will be at a very disadvantageous position. If they want to understand the entire industry and if they want to know its difficulties I wish that they take into consideration all the relevant facts before they come to such a decision.

I do not know what the Transport Ministry is doing in this matter and what their attitude is. I do not know whether the Finance Ministry has even cared to take a clearance from the Transport Ministry here. I do not know if the Transport Ministry is aware of this provision being brought indirectly like this. I would like to know, when the hon. Minister makes a reply to the general debate, whether they have consulted the Transport Ministry, what was their view-point, how they met that view-point, what are their reasons and considerations to brush aside a recommendation made by a committee which had made a thorough investigation throughout the country, listening to all sorts of people, and on which were represented not only Members of Parliament from this House and that House but also the road interests, in fact not only road interests as such but also the State Governments and everyone was there. If you brush aside the recommendations without giving adequate thought to the matter and without satisfying the House, I think it would be extremely difficult for any respectable committee to function. We are certainly entitled to know what are your grounds. And it certainly is admitted on all hands about road transport in most parts, it is not that certain people are making profits and you should therefore be carried away by a general impression. If you make a study you will find that the man has not calculated what depreciation he is suffering from. I therefore think that this matter needs a thorough consideration. My main intention in participating in this debate was to invite the attention of the hon. Minister to these salient points.

Now, the other important matter which this Bill brings about and which is the main thing is in regard to giving publicity to the names of the tax dodgers, avoiders and all that. As a matter of fact, this Bill is in response to a demand has been made on the floor of this House for a long time. Through the Question Hours and through various debates it has always been insisted that the names of these people who are cheating the country by tax evasion and avoidance should be made known and publicised, not only just to villify them but in the expectation that it will serve as a deterrent. I in general support this idea that the names of those who are tax dodgers should be known. It is my information, and

I know it for certain, that there are certain people, very well-to-do people, who have submitted their wealth tax returns. If only their wealth tax returns are known to the people the Finance Minister will find that they have just been mutilated and proper information has not been given at all. I know of a particular case. I do not know for certain what his return about wealth tax to the Finance Ministry is. As I understand, it was about Rs. 1,50 lakhs that he had indicated. If it is so and if it is correct and if that statement is made known to us, I personally would be able to tell them that the man is worth Rs. 50 crores.

Dr. B. Gopala Reddi: Fifty crores?

Shri Harish Chandra Mathur: Yes, the man worth Rs. 50 crores. I do not know whether he has really indicated Rs. 1,50 lakhs. But that is my information. I would like to know it in an authentic manner whether the man has really indicated that his entire wealth is Rs. 1,59 lakhs.

Shri Tyagi: You pay Rs. 100 and you will know.

Shri Harish Chandra Mathur: Now we will know it. I do not know whether as a Member of Parliament I can put a question and ask for the information—whether I will be able to pay hundred rupees or not. If it is not secret, I think that it is my right as a Member of Parliament to have it clarified whether he concedes to that right or not. He is at the present moment telling us "you cannot know it because there is a provision of secrecy". If there is no provision of secrecy I think I have every right as a Member of Parliament to know it.

So I definitely support this provision. But I very much agree with the hon. Member who spoke earlier and who was the Chairman of this Committee that you are vitiating the entire atmosphere which he wanted to build up and you are killing the spirit of the report. This matter of administration of tax is a very delicate matter and it would be really important to take greater care of the spirit in which this report has been made and the spirit in which these provisions have been suggested. It will do really a great harm if we vitiate the atmosphere and kill the spirit of the report and just come in batches like this.

In this particular matter a point was made which was stressed by my hon. friend who spoke earlier, Shri Morarka, and which was also stressed and emphasised by Shri Tyagi, that he had made a recommendation that it was only after the final assessment of the penalty that the information should be made available and the name should be published. The Government have gone a step further and have thought it necessary to publish the names at an earlier stage. I think the Government has a very good reason for it. There would not be much purpose served if the state of affairs is made known after the chapter is completely closed. I think Government's intention is that if it is known at an earlier stage when a man has to come and appeal and get matters rectified—for after all, the intention is not at all to publish the names and scandalise anybody, it is only to help the revenues of the Government—it will enable people to come forward and say that this statement is not correct or that the income-tax which he is paying is not correct and the penalty you have assessed is correct or not correct. While the case proceeds through the further stages I should be able to take advantage of this information and help the Government in coming to a correct decision. I hope that must be the intention of the Government in going at variance from the recommendation of the Enquiry committee. There is solid justification for that.

While I support all this, I definitely feel and very strongly feel, as I said at an earlier stage, that this revenue

[Shri Harish Chandra Mathur]

administration, particularly tax collection agency needs complete overhauling—overhauling more particularly in the sense that their mental attitude should be completely revised. As a matter of fact, every respectable citizen who is contributing to the taxes is considered to be a *chor*. What is this? An ideal Government would be such that it is both respected and feared, respected by the people who are honest. But, it is feared by most of the people who are honest. The most unfortunate thing is that the Government is feared by the people who want to go on the correct road, who want to give the correct return. It is these people who are put to all sorts of inconveniences and troubles. Every one is suspected as if he is a tax exader or this or that. You must assume and you must treat your people as respectable citizens of this great country. But, by this attitude on the part of those who are dealing with the people, you are vitiating the entire atmosphere and you are creating more problems for yourself and for the country. I as a respectable citizen of this great country very strongly resent th's sort of attitude on the part of the revenue administration. I wish the hon. Minister will take it into his head to inject the correct attitude in the mind of the revenue administration.

श्री ब्रजराज सिंह (फिरोजाबाद) : सभापति महोदय, मैं इस विधेयक की भावना का स्वागत करता हूं । मेरी समझ में नहीं आता कि कई माननीय सदस्य इस बिल को सेलेक्ट कमेटी में क्यों भेजना चाहते हैं । इसमें एक छोटी सी बात है जिस पर इस वक्त विचार हो रहा है । सरकार की तरफ से आश्वासन है कि आगामी अधिवेशन में त्यागी कमेटी की सारी सिफारिशों के सम्बन्ध में वह कोई बिल लायेगी, तब फिर मेरी समझ में नहीं आता कि इस पर क्यों आपत्ति की जा रही है ।

पंडित ठाकुर दास भार्गव : यह बिल तो फिर नहीं आयेगा ।

श्री ब्रजराज सिंह : अगर यह नहीं आयेगा तो इसमें तो सिर्फ एक सिद्धान्त की बात है । इस सिद्धान्त की बात पर इस सदन में पहले, जब त्यागी कमेटी की रिपोर्ट लिखी जा रही थी या उस पर जांच हो रही थी या जब वह लिख कर सरकार के पास पहुंच चुकी थी, सवाल पूछे गये हैं उनसे पता लगता है कि इस सम्बन्ध में लोगों को बहुत दिलचस्पी है और यह एक उसूल की बात है कि जब इस तरह के क्रिमिनल अपराध हों या और किसी तरह के अपराध के बारे में कोई भी कार्रवाई इन कैमेरा या गुप्त रूप से नहीं होती है तब फिर जो रेवेन्यू के मामले हों उन को गुप्त क्यों रक्खा जाय । यह बात मेरी समझ में नहीं आती है । जहां तक मैं समझ सका हूं शायद इसका कारण यह है कि अब तक जो हमारे शासन का ढांचा रहा है वह इस तरह का रहा है कि शासन में वही लोग रहे हैं जिन से इनकम टैक्स लेने की गुंजाइश हो सकती है । जो लोग शासन में नहीं हैं उनसे सम्भवतः इनकम टैक्स लिया नहीं जाता है, इसलिये ऐसे वर्गों के लोग कभी या नहीं चाहते कि जो इनकम टैक्स लिया जाता है या उसमें अगर कोई चोरी होती है या वह अण्डर इस्टिमेटेड होता है, उसके बारे में आम जनता जाने । इसलिये जो यह विधेयक लाया जा रहा है उसमें इस तरह की बात है कि हम किन लोगों के नाम प्रकाशित करेंगे हैं अगर असेसमेंट के बारे में जनता को यह अधिकार हो कि पैसा देकर वह असेसमेंट की कापी ले सके, तो मैं समझता हूं कि यह कोई ऐतराज लायक बात नहीं है । अगर कोई आपत्तिजनक बात है तो यह है जो कि धारा ९ के सब क्लाज ४ में आता है ।

"Notwithstanding anything contained in this section, the Central Governmet may refrain from publishing the name of any per-

son if it is satisfied that in the interests of revenue it is necessary so to do, and where the Central Government refrains from publishing the name of any person, the reason for not publishing the name shall be recorded in writing."

मैं समझता हूं कि अगर यह व्यवस्था रक्खी जाती है तो यह बहुत खतरनाक व्यवस्था होगी । सेंट्रल गवर्नमेंट जिसको कहती है "इन दि इंटरेस्ट आफ रेवेन्यू" यह बहुत ही वेग टर्म है, एक ऐसी बात है जिसकी खास तौर से कोई परिभाषा नहीं हो सकती, जिसकी सीमा नहीं रक्खी जा सकती है । चाहे किसी भी व्यक्ति के लिये कह दिया जा सकता है कि यह "इन दि इंटरेस्ट आफ रेवेन्यू" नहीं है इसलिये नाम प्रकाशित नहीं किया जायेगा । पिछले दिनों कानपुर के सम्बन्ध में यहां सवाल पूछे गये, और यह बतलाया गया था कि काफी रुपया आठ या नौ व्यापारियों पर बाकी है, लेकिन चूंकि उनके नाम नहीं दिये जा सकते इस लिये वहां की जनता को पता नहीं लग सकता कि उनमें कुछ ऐसे लोग हैं जो मिनिस्टरों के साथ दावत खाते हैं, सर्किट हाउस में जाते हैं और समाज में उनकी काफी चलत फिरत होती है । अगर इस तरह की व्यवस्था आज रक्खी जाती है तो बड़ा खतरा हो सकता है कि जिन लोगों का सरकारी क्षेत्र में सम्पर्क होता है, चाहे मिनिस्टरों से चाहे आफिसर्स से, उनके लिये कह दिया जाये कि "इन दि इंटरेस्ट आफ रेवेन्यू" उनके नाम प्रकाशित नहीं होने चाहिये । मैं समझता हूं कि जो कानून की भावना है, अगर उस पर अमल होना है तो जिन लोगों ने एवेजन किया है या जो लोग ऐसे हैं जिनके बारे में जनता को मालूम होना चाहिये कि वे रेवेन्यू देते हैं, उनके नाम अवश्य प्रकाशित होने चाहियें । इसमें कोई अपवाद नहीं रहने चाहिये । सरकार के पास कोई ऐसा अख्त्यार नहीं रहना चाहिये जिसमें वे जिस के चाहें उसके नाम प्रकाशित न करें ।

734 (Ai).—5

इस विधेयक का जो यह सबक्लाज ४ है उसका मैं सख्त विरोध करना चाहूंगा । यदि इस ऐक्ट की भावना पर अमल होना है और सही रूप से जनता की भलाई के लिये उसको इस्तेमाल में लाना है तब फिर यह सब क्लाज ४ जो है उसे निकाल देना होगा । अगर यह नहीं निकाला जाता है तो इसका नतीजा यह हो सकता है कि हमारे जन जीवन में भ्रष्टाचार पैदा हो जाय या पक्षपात चले । चाहे किसी की सरकार हो, मैं कोई आप की सरकार के लिये नहीं कह रहा हूं, कोई भी सरकार हो, यह हो सकता है कि उसके लोगों को लगे कि फलां आदमी ऐसा है जिसका नाम प्रकाशित नहीं होना चाहिये । ऐसा होने पर उसके बारे में जनता को कुछ जानने का अधिकार नहीं होगा । यह व्यवस्था उनके खिलाफ भी होगी जिनके नाम प्रकाशित हो चुके हैं । मैं समझता हूं कि यह देश के एक नागरिक और दूसरे नागरिक के बीच में भेद करने की बात होगी, जो कि नहीं होनी चाहिये, और इसलिये मैं इसका विरोध करता हूं ।

दूसरी बात नये क्लाज ५६ (बी) के सम्बन्ध में है । मेरा कहना है कि अगर आप उसके मुताबिक कोई अधिकार देने की बात सोचते हैं तो ऐसा नहीं होना चाहिये ।

"....the Commissioner may, not withstanding anything contained in section 54, if he, is satisfied that there are no circumstances justifying his refusal, furnish or cause to be furnished the information asked for."

इसमें आप कमिश्नर को यह अधिकार देते हैं कि अगर्चे कोई शख्स इन्फार्मेशन चाहता है, उसके लिये स्टैम्प देने के लिये भी तैयार है, उसके बाद भी कमिश्नर के हाथ में अधिकार रहेगा, डिस्क्रेशन रहेगा कि वह जिसको देना चाहे दे और जिस को न देना चाहे न दे, साथ ही जिस इन्फार्मेशन को देना उचित समझेगा उसे देगा और जिसे

[श्री ब्रजराज सिंह]

उचित नहीं समझेगा नहीं देगा । मैं समझता हूं कि इससे भी बड़ी गड़बड़ हो सकती है और भ्रष्टाचार फैल सकता है । इस प्रकार की चीज से जनता को विश्वास पैदा नहीं हो सकता है जिसकी जरूरत है अगर कभी कोई मर्डर होता है और उसमें किसी को फांसी की सजा होती है तो जनता को उसको जानने का अधिकार होता है । उसी तरह से रेवेन्यू केसेज में भी हर एक को इस चीज को जानने का अधिकार होना चाहिये । कल मेरे मित्र श्री चं० द० पाण्डे ने कहा कि यह बहुत खतरनाक व्यवस्था है और अगर इस व्यवस्था को रखना भी है तो यह कह देना चाहिये कि १०० रु० से कम फीस देने से यह सूचना किसी को नहीं मिलेगी । आज हिन्दुस्तान जैसे मुल्क में भी यह बात कही जाती है और फिर यह भी कहा जाता है कि टैक्स को ५,००० रु० से बढ़ा कर ५०,००० रु० कर दिया जाय । वे ५,००० रु० तक इनकम टैक्स वालों को कैट्स एण्ड रैट्स कहते हैं । उनका कहना था छोटे छोटे आदमी इसके अन्दर आ जायेंगे । आज हिन्दुस्तान में आम लोगों की आमदनी कितनी है ? ऐसे देश में अगर आप टैक्स की सीमा ५,००० से बढ़ा कर ५०,००० रु० कर दें तो कैसे काम चलेगा ? साथ ही यह कहना भी गलत है कि इन्फार्मेशन उसी को दी जानी चाहिये जो कि १०० रु० उसके लिये दे । यह चीज वास्तविकता से आंखें मीचना है । मैं चाहता हूं कि जो भी सूचना चाहे वह आसानी से उसे ले सके । मैं यह मानता हूं कि हो सकता है कहीं कहीं पर किसी रंजिश की वजह से लोगों को बदनाम करने की वजह से यह काम किया जाय, लेकिन इसके साथ साथ हमें यह भी देखना पड़ेगा कि सरकार का कर्तव्य होता है, राजनीतिक पार्टियों का कर्तव्य होता है, जो लोग समाज सेवी होते हैं उनका कर्तव्य होता है कि ऐसी छोटी छोटी बातों को लेकर व्यक्तिगत बातों में फंस कर वे काम न करें । जैसे जैसे मुल्क में शिक्षा का प्रसार होगा, जैसे जैसे मुल्क में चेतना जागेगी वैसे वैसे लोगों की इस प्रकार से सार्वजनिक चीजों से व्यक्तिगत लाभ उठाने की प्रवृत्ति कम होती जाएगी । यह ठीक है कि फिर भी कुछ गड़बड़ियां हो सकती हैं, लेकिन वह तो हर समय और हर संस्था में होती है । आप देखें कि यह इतनी बड़ी गवर्नमेंट है । सन् १९५१ में ही इसको पिलाई बैंक के बारे में मालूम हो गया था लेकिन आज नौ साल तक उसके खिलाफ कोई कदम नहीं उठाया गया और उसका नतीजा यह है कि हजारों गरीब आदमियों का सब कुछ लुट गया । तो मैं सरकार के सामने यह बात इसलिये रखना चाहता था कि जिस तरह से यह उनसे गलती हुई है, इस तरह की गलतियां तो हमेशा हुआ करती हैं । लेकिन एक दो गलतियों की सम्भावना की वजह से सरकार को ऐसा कानून नहीं बनाना चाहिये कि सूचना ही न मिल सके । इसलिये मैं कहता हूं कि इस मामले में कोई डिस्क्रीशन कमिश्नर के हाथ में नहीं होना चाहिए । जो सूचना मांगी जाए वह अवश्य मिलनी चाहिये । और अगर सूचना लेने के लिये ज्यादा कीमत का टिकट देना पड़ेगा तो इसके मानी यह होंगे कि कभी भी उससे हमारी जनता के लोग फायदा नहीं उठा सकेंगे और जनता तथा सरकार के हित में काम नहीं कर सकेंगे ।

कहा जाता है कि कौन से ऐसे लोग होंगे जो कि इस काम को जनता तथा सरकार के हित में करने के लिये आगे आयेंगे । जैसा कि मैंने कहा, जैसे जैसे देश में शिक्षा का प्रसार होगा और चेतना जाग्रत होगी वैसे वैसे समाज में ऐसे लोग पैदा होंगे जो कि इस बात का बिना विचार किये हुए कि सरकार की क्या विचारधारा है, जनता के हित में सरकार की मदद करने के लिये अपने आप तैयार होंगे । हमारे देश में ऐसे लोगों की कभी कमी नहीं रही है । आज भी हम देखते हैं कि आचार्य विनोबा और उनके दल के लोग इस प्रकार

जनता की सेवा कर रहे हैं । यह दूसरी बात है कि शायद उससे कुछ लोग सहमत न हों । इसलिये मेरा विचार है कि इस काम के के लिये भी कुछ लोग पैदा हो सकते हैं कि जो गैर-सरकारी तरीके स यह देखें कि सरकार का रुपया मारा तो नहीं जा रहा है और अगर ऐसा हो तो उसको सरकार के सामने लाने का प्रयत्न करें । तो मेरा निवेदन है कि यह बात सरकार के हित में और जनता के हित में नहीं होगी कि कमिश्नर के हाथ में यह डिस्क्रीशन रहे कि जो सूचना मांगी जाए उसे वह दें या न दें । जो सूचना मांगी जाए वह अवश्य मिलनी चाहिये और सेंट्रल गवर्नमेंट के हाथ में भी यह डिस्क्रीशन नहीं रहना चाहिये कि किन्हीं व्यक्तियों के नाम रेवेन्यू के हित में प्रकाशित न करें । अगर यह व्यवस्था रहेगी तो करप्शन बढ़ेगा और लोगों को यह कहने का मौका मिलेगा कि कुछ व्यक्तियों का नाम इसलिये प्रकाशित नहीं किया जा रहा है कि जो सरकार की पार्टी है उसको उनसे चुनावों में मदद मिली है । चाहे वह मदद आर्थिक हो या दूसरी तरह ही ।

श्री रामकृष्ण गुप्त (महेन्द्रगढ़) : सभापति जी । इस मौजूदा बिल की बहुत आवश्यकता थी और इसके बारे में मैं दो तीन सुझाव हाउस के सामने रखना चाहता हूं । कई दफा हाउस में यह चर्चा हुई है कि मौजूदा इनकम टैक्स ऐक्ट को इस तरह अमेंड किया जाए कि जो लोग इनकम टैक्स को इवैड करते हैं उनके बारे में मुकम्मल जानकारी मिले । उसी मकसद के लिये यह बिल पेश किया गया है । मेरी राय है कि जो मकसद था इस बिल का और जिस बात के लिये इसको पेश किया गया है वह मकसद इसके जो क्लाजेज हैं उनसे पूरा नहीं होगा । मैं तो समझता था और मुझे पूरी आशा थी कि इस कानून में भी वही तरीका बरता जाएगा जो कि दूसरे कानूनों में बरता जाता है । यानी कि जो मुकदमे दूसरे कानूनों के तहत चलाए जाते हैं उनके बारे में कोई स्पेशल प्रावीजन नहीं होता उसी तरह से इस इनकम टैक्स के कानून में भी होना चाहिये । इसलिये मैं चाहता हूं कि इसके क्लाज ५४ को निकाल दिया जाए । इसी लिए मैं इस हाउस के सामने यह बात रखना चाहता हूं कि जो मौजूदा प्रावीजन हैं इस बिल के उनसे इसका मकसद काफी हद तक पूरा नहीं होगा ।

मुझ से पहले एक दोस्त ने अभी कहा कि क्लाज ६ में ऐसी बातें रखी गयी हैं कि जिनकी वजह से उसके बारे में पूरी इनफारमेशन नहीं मिल सकेगी । जैसा कि इस बिल में कहा गया है, जो लोग इनकम टैक्स इवैड करते हैं उनके बारे में इनकम टैक्स के मुहकमे के आफिसर्स को और गवर्नमेंट को बहुत वसीय अख्तियारात दिये गये हैं और वह चाहें तो उनकी लिस्ट को एग्जेम्प्ट कर सकते हैं ।

दूसरे इसमें यह भी जिक्र किया गया है कि यह ऐक्ट १ अप्रैल सन् १९६० से लागू होगा, जिसका मतलब यह है कि इससे पहले जिन लोगों की तरफ इनकम टैक्स की रकम बकाया थी और उसको वसूल करने के लिये कौन कौन से तरीके अख्तियार किये गये, इसके बारे में भी हमको जानकारी नहीं मिलेगी । मैं समझता हूं कि इसके बारे में हाउस को जानकारी देना सबसे ज्यादा जरूरी है । पिछली लड़ाई से लेकर जितना इनकम टैक्स का एरियर जमा हुआ है और जिस तरीके से उसको इवैड करने की कोशिश की गयी है उसके बारे में जानकारी दिया जाना बहुत जरूरी है ।

दूसरे इस प्वाइंट आफ व्यू से भी यह जानकारी जरूरी है कि पिछला एरियर वसूल नहीं हो पा रहा है । हमको मालूम होना चाहिये कि किन किन लोगों की तरफ वह बकाया है और उसको बवसूल करने के लिये क्या क्या तरीके अख्तियार किये गये हैं । मैं समझता हूं कि उसकी वसूली के लिये सबसे बेहतर तरीका यह है कि सोसायटी को उसके बारे में बताया जाए और जो उनका सोसाइटी

[श्री रामकृष्ण गुप्त]

में स्टेट्स है और जो गवर्नमेंट में उनका दखल है उस पर इस तरह असर पड़े । मैं समझता हूं कि इससे बकाया की वसूली में मदद मिलेगी । मैं इस चीज को जरूरी समझता हूं । मैं ने हाउस में इसके बारे में दो चार सवालात किये थे । मेरा एक सवाल यह था कि यह जो एरियर है उस पर सूद क्यों नहीं लगाया जाता । बहुत से ऐसे केसेज मेरी नजरों में आये हैं, लेकिन पूरी जानकारी न मिलने के कारण हम किसी बात को वसूक के साथ नहीं कह सकते । बहुत से केसेज में किस्तें वगैरह की गयी हैं और कई केसेज में तो किस्तों का अरसा बहुत ज्यादा रखा गया है । मिसाल के तौर पर अगर किसी एक असेसी की तरफ, किसी एक कैपीटलिस्ट की तरफ सरकार का एक लाख रुपया निकलता है, और वह असेसी सरकार से खतो किताबत करके इंस्टालमेंट करवाने में कामयाब हो जाता है और १५-२० साल के लिये इंस्टालमेंट करवा लेता है, तो मैं पूछता हूं कि इससे सरकार को कितनी सूद की रकम का नुकसान होता है । आप अन्दाजा लगा सकते हैं कि ऐसे मामलों में सरकार को कितना नुकसान होगा । इसलिये मैं चाहता हूं कि पूरे वाकयात को हाउस के सामने रखा जाए और ऐसा करने का यही तरीका है कि इस बिल में से सेक्शन ५४ को निकाल दिया जाए । तभी पूरी वाकफियत मिल सकती है ।

दूसरी एक छोटी सी तजवीज मैं हाउस के सामने और रखना चाहता हूं । क्लाज ७ में कलेक्टर की डेफीनीशन है । उसके मुताल्लिक थोड़ा सा अर्ज करना चाहता हूं । यह तजुरबे की बात है कि जहां तक इनकम टैक्स असेस करने का ताल्लुक है उसमें इतनी दिक्कत नहीं है । जो मुश्किल पेश आती है वह तो उसके वसूल करने में पेश आती है । मैंने इस मामले को समझने की कोशिश की है । मैं यही समझ सका हूं कि वसूली न होने का सबसे बड़ा सबब यही है कि इनकम टैक्स मुकर्रर करने वाली अथारिटी और उसको वसूल करने वाली आथारिटी दोनों अलग अलग हैं । एक दूसरे के साथ पूरे तौर से कोआपरेट नहीं करतीं ? मिसाल के तौर पर वसूली का तमाम काम स्टेट के रेवेन्यू आफिसर करते हैं । इसलिये मैं तजवीज करना चाहता हूं कि सरकार इस मामले पर विचार करे और जो काम्प्रिहेंसिव बिल आ रहा है उस में ऐसे इंतजाम किये जायें कि इनकम टैक्स की वसूली में आसानी हो सके । मैं यह इसलिये कह रहा हूं कि आज इनकम टैक्स ठीक तरीके से असेस हो यह इतना अहम सवाल नहीं है जितना कि यह सवाल कि वह ठीक तरीके से वसूल हो । मेरे खयाल में तो अगर इनकम टैक्स आफिसर को वसूली के लिये भी पावर दे दी जाय तो और भी ज्यादा बेहतर होगा ।

आखिर में मैं एक बात और कहना चाहता हूं । जैसाकि मैं ने कहा, इस बिल में कई अमेंडमेंट इसलिये भी किये गये हैं कि जूडिशियल कोर्टस के कुछ फैसले हुए है । मुझे यह देख कर बड़ा दुःख होता है और आप भी यह महसूस करते होंगे कि चेंजेज इनकम टैक्स ऐक्ट में हर साल होते है शायद उतने किसी और कानून में नहीं होते । मैं चाहूंगा कि इस मामले पर संजीदगी के साथ विचार किया जाय और इस के अन्दर जो लीगल डिफेक्ट है, जिन की वजह से इस को इम्प्लीमेंट करने में दिक्कत आती है, उन सब पर विचार कर के एक कम्प्रिहेंसिव बिल पेश किया जाय ताकि जो यह हर साल इस को जूडीशियल डिसीशन्स की लाइट में अमेंड करने के लिये हाउस के सामने बिल लाना पड़ता है इस की जरूरत न रहे । मैं तो कहूंगा कि इस वजह से जो हमारा ला डिपार्टमेंट है उस पर भी असर पड़ता है । इसलिये मेरी तजवीज है कि इन तमाम बातों पर विचार किया जाय और ऐसा कम्प्रिहेंसिव बिल लाया जाय कि जिस को

लागू करते वक्त कोई दिक्कत पेश न आये और जो जूडीशियल डिसीशन्स से महफूज रहे और उस के अन्दर इनकम टैक्स की वसूली के लिये भी पूरा ख्याल रखा जाय ।

पंडित ठाकुर दास भार्गव : जनाब चेअरमैन साहिब, अभी मेरे दोस्त ने चन्द एक तजवीजें इनकम टैक्स ऐक्ट को किसी कदर ज्यादा रिजिड और स्ट्रिक्ट बनाने के लिये की हैं । मैं उन के बारे में इस मौके पर कुछ कहना नहीं चाहूंगा । यह टैक्सेशन लाज अमेंडमेंट बिल जो हमारे सामने है सिर्फ उस के ऊपर ही मैं थोड़ा सा अर्ज करना चाहता हूं ।

असलियत तो यह है कि जब श्री त्यागी ने हाउस के सामने अभी अर्ज किया कि इनकम टैक्स आफिसर्स और एसेसीज इन दोनों के अन्दर जो रिश्ता होना चाहिए वह बहुत मुहब्बत का और कुछ ऐसी डयूटी का होना चाहिये कि एसेसीज यह समझें कि जो इनकम टैक्स उन पर लगाया गया है उस को हमें सरकार को देना यह हमारी मौरेल ड्यूटी, लीगल ड्यूटी और पायस डयूटी है । आज के दिन वेलफेयर स्टेट में हर एक आदमी को अपना टैक्स ईमानदारी के साथ अदा करना चाहिये । जहां तक इनकम टक्स आफिसर्स का सवाल है मैं अर्ज करना चाहता हूं कि वह पब्लिक सर्वेन्टस हैं उन को निहायत हमदर्दी से और हर एक सूरत में एसेसी की इमदाद करनी चाहिए कि जो मुनासिब टैक्स हो वह उस से लिया जाय और उस पर सख्ती न की जाय । सख्ती से टैक्स वसूल न किया जाय बल्कि एसेसी यह समझे कि इनकम टैक्स आफिसर सरकार को वाजिब टैक्स अदा करने में हमारे लिए हैल्पफुल है और जैसेकि हम पुलिस से तवक्को रखते हैं कि वह हमारी हिफाजत करे । पुलिस हिफाजत करने के लिए है जुल्म करने के लिए नहीं है । मेरे कहने का मकसद यह है कि इनकम टैक्स आफिसर के पास जायें तो हम यह समझ कर जाय कि हम अपने एक दोस्त के पास जा रहे हैं । मुझे लीगल ड्यूज देने हैं जोकि पार्लियामेंट ने लगाए हैं । यह मुझ पर नावाजिब सख्ती नहीं करेगा और ठीक टैक्स लगाएगा । लेकिन मुझे अफसोस के साथ कहना पड़ता है कि आज ऐसा नहीं है और हालत यह है कि हर एक आदमी को पुलिस आफिसर से ज्यादा डर और खौफ एक इनकम टैक्स आफिसर से रहता है क्योंकि इनकम टैक्स लाज कुछ इस तरह के ही बने हुए हैं और जोंक पुराने जमाने के बने हुए हैं और जिन के कि अन्दर ऐसी हिदायतें मौजूद नहीं हैं जैसी कि न होनी चाहिए । हर एक इनकम टैक्स आफिसर के बारे में यह देखा जाता है कि उस ने कितना एसेसमेंट किया । उस की तरक्की इस बात पर निर्भर करती है कि उस ने कितना रुपया बतौर इनकम टैक्स के सरकारी खजाने में जमा करवाया । इसी तरह इस इनकम टैक्स डिपार्टमेंट में और ओहदेदार हैं । अब जहां तक इनकम टैक्स आफिसर का ताल्लुक है जो उसूल हम ने कांस्टीटयूशन में रक्खे हैं उनके मुताबिक तो इनकम टैक्स आफिसर इस के अन्दर रहना ही नहीं चाहिए । कांस्टीटयूशन की दफा ५० का आप मलाहिजा फरमायें तो आप उस में यह दर्ज पायेंगे कि एक्जीक्यूटिव और जुडीशिएरी इस देश के

[पंडित ठाकुर दास भार्गव]

अन्दर जुदा की जायगी लेकिन इनकम टैक्स आफिसर खुद ही इस को अमल में लाता है खुद ही जज है, खुद ही प्रासीक्यूटर है और खुद ही इनवैस्टिगेटर है । सारी पावर्स उस के अन्दर मौजूद हैं । मैं यह कभी अर्ज नहीं करना चाहता कि आप आज ही इस सिस्टम को तबदील करने के काबिल हैं या यह कि आज प्रैक्टिकेबुल है । कि हम किस तरीके से एक ऐसेसमेंट एथारिटी अलहदा कर दें और एक अलग इनवैस्टिगेशन एथारिटी कर दें । किसी हद तक अब भी यह होता है कि जो केसेज आते हैं उन के वास्ते एक ही आफिसर मुकर्रर है और जो थोड़ी सी इनवैस्टिगेशन वगैरह भी करता है । आम तौर पर इनकम टैक्स आफिसर के अन्दर यह सारी चीजें शामिल हैं यानी पुलिसमैन भी वही है और जज भी वही है । यह किसी हद तक दुरुस्त है और मुझे भी आज यह प्रैक्टिकल नजर नहीं आता कि इस चीज को हम जुदा जुदा कर दें और इस तरह से हम इस को करें कि वह सिर्फ जुडिशिएल आफिसर रह जाय । लेकिन मैं इतना जरूर अदब से अर्ज करना चाहता हूं कि असिस्टेंट कमिश्नर के बारे में मुझे सख्त शिकायत है । असिस्टेंट कमिश्नर आफ इनकम टैक्स आम तौर पर क्वासी जुडीशिएल माइंडिड आफिसर होता है और उस का फैसला आम तौर पर लोगों को तसल्ली देता है । अच्छा होता कि अगर वह डिमांड जोकि आज तक इस हाउस में बराबर की जाती रही है और जब वैल्थ टैक्स आया, एक्सपेंडीचर टैक्स आया या गिफ्ट टैक्स आया तो उन मौकों पर हम ने हमेशा यह अमेंडमेंट भेजा है कि आप मेहरबानी कर के उस आफिसर को एक बिल्कुल जुडीशिएल आफिसर बना दें । वह हमारा रेवन्यू का हाइएस्ट आफिसर हो । उस का प्रमोशन, ट्रान्सफर और जितनी इंसीडेंटल चीजें हैं वह एक्जीक्यटिव के हाथ में न रह कर हाई-कोर्ट के हाथ में हों या फिर जैसे कि मेरे लायक दोस्त ने तजवीज किया है कि यह सब चीजें ला मिनिस्टर के हाथ में हों । इस का नतीजा यह होगा कि उस का फैसला जोकि अब भी काफी अच्छा होता है और लोगों को तसल्ली देता है वह और भी अच्छा हो जायगा और उस को यह डर नहीं होगा कि कोई ताकत मेरे पीछे से देखती है कि मैं ने कितनी अपीलें मंजूर कीं या अब तक कितना एसेसमेंट कर के दिखाया

श्री मू० चं० जैन : कौन से मुल्क में यह प्रोसीज्योर फौलो हो रहा है ?

पंडित ठाकुर दास भार्गव : बहुत से मुल्कों में हो रहा है । अब इस के बारे में मैं ने तवारीख नहीं देखी है लेकिन मैं यह अर्ज करना चाहता हूं कि इस बारे में मेरे लायक दोस्त इज मोर लाज दैन दी किंग । इस के लिय देशमुख साहब को कहा गया और जिस कमेटी का मैं चेयरमन था वहां पर और दीगर मेम्बरों ने भी इस पर बहुत जोर दिया कि इस को मंजूर करें और उन्होंने बड़ी कोशिश की कि किसी तरीके से वह कामयाब हो जायें । यह मामला जब हमारे आनरेबुल फाइनेंस मिनिस्टर साहब के सामने आया और जब उन्होंने इस के मंजूर करने के लिये किसी कदर अपनी मजबूरी जाहिर की तो मैं उन की मजबूरी जानता हूं । इस मजबूरी के रहते हुए भी मैं अदब से अर्ज करना चाहता हूं कि यह कानून की डाइरेक्शन जब ही सैटिसफैक्टरी होगी कि जो आप ने यह रूल रक्खा कि उस को कोई चीज एफैक्ट नहीं करेगी । आप की जो यह असिस्टेंट कमिश्नर हाइएस्ट एथारिटी रेवन्यू की है यह ठीक है कि उस पर एक्जीक्यूटिव का कोई डाइरेक्शन एफेक्ट नहीं करेगा लेकिन जब उस के ट्रान्सफर और प्रमोशन वगैरह एक्जीक्यूटिव के हाथ में रहेंगे तो उस

वक्त तक अगर वह इंसान है तो वह उस की वजह से मुतास्सिर हुए बगैर नहीं रह सकता है ।

इस के आगे चल कर हम देखते हैं कि इन दोनों को छोड़ कर वह भी एक तरीके से डिपार्टमेंटल मामला रह जाता है । अब यह ट्रिब्यूनल इंडिपेंडेंट है, हाईकोर्ट इंडिपेंडेंट है और सुप्रीम कोर्ट बिकुल इंडिपेंडेंट है । यह तीनों एथारिटीज जो आप ने इनकम टैक्स के तमाम एडमिनिस्ट्रेशन के लिये रक्खी हैं इस में कोई शक नहीं कि यह बिल्कुल इंडिपेंडेंट हैं और जहां तक कौनफिडेंस का सवाल है पबलिक को इन पर पूरा भरोसा है । अब जनाब मुलाहिजा फरमायें कि मुझे क्या चीज नजर आती है । मैं देखता हूं कि इनकम टैक्स ऐक्ट के सैक्शन ५९ के बाद ५९ए और ५९बी यह दो सैक्शन्स इस अमेंडिंग बिल के जरिये जोड़े जा रहे हैं । ५९ए के जरिये ऐसे शख्स जिन पर कि इस के मातहत पैनाल्टी मिली है, सैक्शन २८ के मातहत जिन पर कि जुर्माना हुआ है उन के नाम गवर्नमेंट आफिशिएल गजट में छपवायेगी । इनकम टैक्स एक्ट के सिलसिले में भी यही डिमांड थी कि ऐसे लोग जो कि टैक्स का इवेजन करें या बजा डिफाल्ट करें उन के नाम शाया कर दिये जायें । जब इनवैस्टिगेशन कमिशन मौजूद था और जब उस कमिशन की रिपोर्ट शाया हुई और उस की रिपोर्ट को ले कर हाउस में बहस हुई तो मैं उन मेम्बरान में से एक था जिन्होंने कि ऐसे औफेंडर्स के नाम शाया करने की मांग की थी और हम ने सख्त शिकायत की थी कि उन लोगों की जिन के कि बारे में इनवेस्टिगेशन कमिशन की रिपोर्ट में है कि वह तरह तरह की बेईमानियां करते हैं और इस तरह से टैक्स का पैसा खा जाते हैं । हम ने उस मौके पर मांग की थी कि ऐसे लोगों के नाम गवर्नमेंट शाया करे ताकि पबलिक को मालूम हो कि यह टैक्स चुराने के खतावार हैं । उसी वक्त से यह चीज चली और त्यागी साहब की मेहरबानी से और दूसरे दोस्तों की मेहरबानी से जिन्होंने कि उस में हिस्सा लिया और यह मांग दिन पर दिन जोर पकड़ती चली गई कि ऐसे औफेंडर्स के नाम गवर्नमेंट जरूर शाया करवाये । इस वास्ते जहां तक इस अम्र का ताल्लुक है ऐसे लोग जो टैक्स का इवेजन करते हैं, टैक्स खा जाते हैं और उस के बारे में और तरह तरह की बेईमानियां करते हैं उन के नाम शाया होने का जो सरकारी सुझाव है मैं ने उस को पहले भी सपोर्ट किया था और आज भी सपोर्ट करता हूं । मैं चाहता हूं कि जो पबलिक ओपीनियन है उस का असर उन पर पड़े और हर एक आदमी को मालूम हो कि यह शख्स बेईमान है । जाहिरा तौर पर वह लाखों रुपये भले ही स्कूलों और अस्पतालों में क्यों न खर्च करता हो लेकिन इनकम टैक्स के मामले में जो देश का एक तरह से लाइफब्लड है अगर वह उस के अन्दर बेईमान है तो उस की सारी इज्जत खाक में मिल जायगी और वह पबलिक की निगाहों में गिर जायगा । मैं चाहता हूं कि ऐसे लोगों के नाम शाया किये जायें । लेकिन ताहम मैं अर्ज करूंगा कि इस के अन्दर जो चीज एक्चुएली अमल में आ रही है वह मुनासिब नहीं है । कई एसे लकूनाज हैं जिन से कि वह चीज भी खत्म हो जाती है जो कि हम करना चाहते हैं और पूरे तौर पर हम उस नतीजे पर नहीं पहुंचते जिस पर कि हम पहुंचना चाहते हैं । मैं अर्ज करूंगा कि जब मैं इन दोनों प्राविजन को देखता हूं तो मुझे सब से पहला डिस्क्रिमिनेशन यह मालूम होता है कि जिन पर ५००० रुपये से ज्यादा पैनाल्टी लगेगी या जो ज्यादा टैक्स देने वाले हैं अगर वह आफेंस करते हैं तो उन के वास्ते किसी किस्म की पबलिसिटी नहीं होगी । आप का जो सैक्शन ५९ए है वह सिर्फ सैक्शन सी औफ ३८ को एप्लाई करता है । ए और बी को एप्लाई नहीं करता । एक तरीके से मैं खुश हूं कि वह ए और बी को एप्लाई नहीं करता लेकिन अगर दफा ५९ (२) ५००० से जिन की कम पैनाल्टा नहीं है उन को अगर यह २८ ए और बी एप्लाई करे तो मुझे कोई लौजिक

[पंडित ठाकुर दास भार्गव]

समझ में नहीं आती कि यह उन को क्यों न एप्लाई करे जिन की कि आमदनी ज्यादा है। अब जो भूखे नंगे हैं और जोकि टैक्स नहीं दे पाये उन का इवेजन तो कमिशन दिखाये लेकिन जो बड़ी बड़ी जायदादों के मालिक हैं, पूंजीपति लोग हैं और करोड़ों रुपया लगाते कमाते हैं और फिर सरकारी टैक्स का लाखों रुपये की शक्ल में इवेजन करते है और बेईमानी करते हैं उन के नाम क्यों न पबलिक में शाया किये जायें ताकि जनता को उन की हकीकत मालूम हो और अगर २८ का ए और बी उन को एप्लाई करे तो कोई वजह नहीं है कि वह उन बड़े बड़े पूंजीपतियों को जोकि लाखों रुपयों की चोरी करते हैं क्यों न ऐप्लाई करे। मैं अर्ज करना चाहता हूं कि सरकार का जो मंशा है वह ए और बी दोनों के बारे में एक होना चाहिये और ऐसा नहीं होना चाहिये कि पांच हजार से ज्यादा जिन को पैनेलटी लगे उनके बारे में तो एक और असूल इससे कम जिन को लगे उनके वास्ते दूसरा। २८(१) क्या है, २८(२) क्या है ? क्या उनके अन्दर मारल गिल्ट है, क्या जुर्म है ? क्या आपने पहले से ही उनके वास्ते पैनेलटीज प्रोवाइड नहीं की हुई हैं। मैं अर्ज करना चाहता हूं कि हर रोज अखबारों में छपता है कि ३५ दिन के अन्दर लोग अपनी रिटर्न दाखिल कर दें। कितने लोग हैं जो अखबार पढ़ते हैं और कितने लोगों को उस तारीख का मालूम रहता है। अगर वे ऐसा नहीं करते हैं तो आप उनको छोड़ नहीं देते हैं। उसके लिए आपने पैनेलटीज दी हुई हैं, इसी सैक्शन में पैनेलटीज दर्ज हैं। आप ड्योढ़ा रुपया वसूल कर सकते हैं और आप दूसरी तरह की सजा दे सकते हैं लेकिन यह जो नाम पब्लिश करने का आपका मकसद है, इससे यह पूरा नहीं होता है। नाम पब्लिश करने का आपका मकसद यह है कि वह बदनाम हो, लोग एप्रोवरियम से देखें। लेकिन यह जो चीज आप कर रहे हैं मेरी राय में बहुत सस्ती या कमजोर कर रहे हैं, बेमानी कर रहे हैं। मैं बेईमानी नहीं कह रहा हूं, मैं यह कह रहा हूं कि यह यूजलेस पैनेलटी है, इस सैंस में मैं इसको कह रहा हूं। इसका कुछ भी मतलब नहीं रह जाता है। छापने का मतलब तो यह है कि जिस का नाम छापा जाता है वह कम से कम एक हफ्ता तो अपने घर में बैठ जाये और बाहर लोगों को अगर वह जा कर शक्ल दिखायेगा तो लोग क्या कहेंगे, इसका उसको डर रहता है। आप क्या कहते हैं ? अगर कोई रिटर्न नहीं देता है तो उसका क्या मारल गिल्ट है, क्या मारल टर्पिट्यूड है। अगर कोई रिटर्न नहीं देता है एक मुद्दत के अन्दर तो आपके पास पावर है कि आप उससे ड्योढ़ा वसूल कर लें। इससे और ज्यादा आप क्या चाहते हैं। इस तरह की चीज में लोग एप्रोवरियम नहीं देखेंगे। ३५ दिन में या ४० दिन में या ४५ दिन में अगर उसने रिटर्न नहीं दिया और बिल्कुल भी नहीं दिया तो क्या हुआ। आपने सैक्शन २२ में लिख रखा है कि इनकम टैक्स आफिसर के सामने चीज जायेगी और वह अपनी डिसक्रीशन के मुताबिक उसके ऊपर टैक्स लगा देगा। यह जो चीज है यह बड़ा डिटरेंट है। साथ ही आपने एक यह प्राविजन भी किया है कि अगर आप चाहें तो ड्योढ़ा उस पर टैक्स लगा सकते हैं। इतना ही नहीं, आगे चल कर आप देखें तो आपको पता चलेगा कि दफा ५१ इनकम टैक्स की में यह लिखा हुआ है कि दस रुपये रोज का सजा हो सकती है और यह एक जुर्म करार दिया गया है। यह भी आपने लिखा हुआ है कि प्रासीक्यूशन कर सकते हैं अगर आपका इंस्पेक्टिंग असिस्टेंट कमिश्नर उसकी इजाजत दे। लेकिन यहां पर छापने के मामले में आप बिना किसी के कुछ कहे हुए ही नाम छाप देते हैं। वहां आपने रोक लगा रखी है लेकिन यहां पर आपने कोई रोक नहीं लगा रखी है। वहां पर आपने कह रखा है कि इंस्पेक्टिंग असिस्टेंट कमिश्नर जब तक किसी के जुर्म को ऐसा

न समझें कि प्रासीक्यूशन होनी चाहिये तब तक प्रासीक्यूशन नहीं हो सकती है । लेकिन इसमें कोई रोक नहीं है । आपने इस पब्लिकेशन आफ नेम्स को बहुत ही सस्ता कर दिया है । अगर कोई रिटर्न नहीं देगा उसके नाम को आप पब्लिश कर देंगे जो बेमानी है ।

देर कंडोन भी की जाती है अगर रिटर्न देर में दी गई हो । मेरी समझ में नहीं आया कि दफा २२(१)(ए) और (बी) में कौन सी ऐसी पीनल चीज है, क्या खराबी है, क्या मारल गिल्ट है जिस की वजह से आप नाम छापते हैं ।

जहां तक २८(सी) का सम्बन्ध है मैं समझता हूं कि अगर कोई आदमी अपनी आमदनी जानबूझ कर कंसील करता है, इनएक्युरेट फिगर्स देता है, उस सूरत में २८ के जो प्रोविजन्स हैं वे बड़े मुनासिब हैं । उसके केस में अगर आप नाम छापेंगे तो मैं समझूंगा कि उसका असर पब्लिक माइंड पर यह होगा कि वह शख्स ईमानदार नहीं है और ऐसे शख्स का नाम छापना मैं समझता हूं कि इस इवेशन को किसी हद तक हटाने में मदद देगा और इससे आपका जो मकसद है वह पूरा हो जायेगा, बाकी नहीं ।

इसके अन्दर एक छोटी सी बात है जो आपकी खिदमत में मैं अर्ज करना चाहता हूं । २८(सी) इस तरह से है :—

"Any person has concealed the particulars of his income or deliberately furnished inaccurate particulars of such income".

जहां तक इसका सवाल है कि deliberately furnished inaccurate particulars of such income इसके साथ मैं हंडरेड परसेंट एग्री करता हूं । उसका नाम आप जरूर छापें । लेकिन जहां तक दूसरे हिस्से का सम्बन्ध है has concealed the particulars of his income इसके बारे में मैं थोड़ा सा आपकी खिदमत में अर्ज करना चाहता हूं। एक वेरिऐशन है जो मैं अर्ज करना चाहता हूं । एक शख्स कुछ रुपये को अपनी आमदनी समझता है, कुछ को अपनी आमदनी नहीं समझता है । कितनी ही रूलिंग्ज हाई कोर्ट और सुप्रीम कोर्ट की हैं जिन में कि उन्होंने करार दिया है कि फलां चीज आमदनी की तारीफ में आती है और फलां चीज आमदनी की तारीफ में नहीं आती है । अगर वह शख्स कानून जानते हुए या कानून न जानते हुए भी यह महसूस करता है कि यह मेरी आमदनी नहीं है, इस पर मेरा हक नहीं है, मैं इसको इस्तेमाल नहीं कर सकता हूं और इस कारण से वह उसको अपनी आमदनी न लिखे, बोनाफाइड न लिखे, तो उसका कोई जुर्म नहीं है । उसका नाम पब्लिश करना उसके साथ डिफामेशन का एक्ट करना है, जायज नहीं है । हां अगर डेलीब्रेटली कंसील करे और न दे तो फिर उसका जुर्म मैं समझता हूं कि दूसरे हिस्से से भी ज्यादा हो जाता है । इसलिए इस डेलीब्रेटली लफ्ज को आप पहले ला सकते हैं और कह सकते हैं deliberately concealed the income—with a view to conceal the income.

तब यह ठीक होगा लेकिन अगर यह कंसील्मेंट ऐसा है जो इन्नोसेंट है, बोनाफाइड है और यह चीज जा कर हाई कोर्ट से और सुप्रीम कोर्ट से साबित हो जाती है और वहां से फैसला हो जाता है कि यह उसकी इनकम ही नहीं है और उसके ऊपर अगर टैक्स लग चुका है तो मैं पूछना चाहता हूं कि आप बतायें उसका कसूर क्या है । ऐसी सूरत में उसका नाम छापना जायज नहीं है । दूसरा सवाल यह है कि जो शख्स इस जद् में आता है, पैनेल्टी की, और उसने जुर्म ऐसा किया था ताहम दफा ५४ में आपने इजाजत दे दी कि कम्पाउंड कर लो आफेंस तो आप जानते हैं कि उस सूरत में कम्पाउंड करने के बाद आदमी एक्विट हो जाता है । एक तरफ इधर तो आप कम्पाउंड करने की इजाजत देते हैं और उधर आप उसको बेईमान कहते हैं, उसका नाम छापते

[पंडित ठाकुर दास भार्गव]

हैं। यह कहां तक जायज है। आप कहते हैं कि असिस्टेंट कमिश्नर का जब हुक्म हो जाये उसके बाद उसका नाम छाप दिया जाये। आप न तो ट्रिब्यूनल के वास्ते ठहरना चाहते हैं, न हाई कोर्ट और सुप्रीम कोर्ट के लिए ठहरना चाहते हैं। जब ऐसी बात है तो क्या आपका यह फर्ज नहीं हो जाता है कि इसके नीचे एक यह चीज भी लिख दें कि अगर उसकी अपील मंजूर हो जायेगी ट्रिब्यूनल से और जो आपका फैसला है वह रद्द हो जायेगा तो उस सूरत में आप उसका नाम दुबारा छापेंगे कि इसकी अपील मंजूर हो गई है, इसका नाम खारिज कर दिया गया है। त्यागी कमेटी ने लिखा है कि आपको उनके नाम नहीं छापने चाहियें तब तक जब तक कि हाइएस्ट कोर्ट से फैसला न हो जाये। The tribunal is a higher authority; the High Court is a higher authority; the Supreme Court is the highest authority. इनके फैसलों का इंतिजार न करना और लोगों को यह कहना कि यह मुजरिम है, लोग इसको हेट करें, इसके पास न बैठें, इसकी इज्जत न करें, क्या यह सब कुछ जायज है। यह तभी जायज है जबकि जुर्म साबित हो जाये। एक मरडर केस में किसी को फांसी की सजा हो जाती है और वह हाई कोर्ट में अपील करता है जहां उसकी अपील मंजूर हो जाती है तो उसके बाद He is a gentleman; no guilt attaches to him. इसलिए मैं कहता हूं कि उस आदमी का नाम नहीं छापा जाना चाहिये। अगर आप ४९९ दफा को देखें तो उसके अन्दर एक इनकोएट जुर्म है जो साबित नहीं हुआ है। उसके बारे में किसी आदमी का नाम लिखना उसका डिफामेशन करना है। इनकम टैक्स एक्ट दफा ३३ में भी यह है कि असिस्टेंट कमिश्नर का जो भी हुक्म है It is appealable to a tribunal. और ट्रिब्यूनल का जो हुक्म है वह तब तक फाइनल है जब तक हाई कोर्ट में अपील नहीं हो जाती है, उसका फैसला नहीं हो जाता है और जब वहां फैसला हो जाता है तो वह फाइनल है। इस वास्ते मैं कहना चाहता हूं कि आप बहुत जल्दी न करें। आप पहले जब हम चाहते थे कि नाम छापें, आप छापना नहीं चाहते थे, आपने उसको रिजिस्ट किया और अब आप इसको इतना चीप बना देना चाहते हैं कि आप फाइनल फैसले का भी इंतिजार किये बगैर नाम छापना चाहते हैं। यह मुनासिब नहीं है। यह चीज गलत होगी। मैं इस पर और अधिक नहीं कहना चाहता हूं। त्यागी कमेटी ने क्या कहा है और कितनी इम्पार्टेंट वह कमेटी थी और आपकी ही मुकर्रर कर्दा कमेटी थी इस के बारे में भी मैं कुछ नहीं कहना चाहता हूं। मैं तो ब्राड ग्राउंड पर इस चीज को अर्ज कर रहा हूं।

अब मैं एक मिनट में ५९(बी), ४ और ५९(ए) पर कुछ कहना चाहता हूं . . . .

सभापति महोदय : आप कितना समय और लेंगे ?

पंडित ठाकुर दास भार्गव : अगर आप चाहते हैं कि मैं अब खत्म कर दूं तो आप मुझ को जब क्लाज-बाई-क्लाज डिसकशन शुरू हो तो बोलने का मौका दे दें।

सभापति महोदय : आप अभी एक दो मिनट ले सकते हैं और बोल सकते हैं।

पंडित ठाकुर दास भार्गव : इसके अन्दर दो चीजें ऐसी हैं जिनके बारे में मैं अर्ज करना चाहता हूं। दो आबजैक्शनेबल चीजें इसके अन्दर हैं जिसका जिक्र इस हाउस के हर एक मैम्बर ने किया है। एक तो इन दी इंटिरेस्ट आफ रेवेन्यू की बात इसमें कही गई है। यहां पर कहा गया है कि अगर इन दी इंटिरेस्ट आफ रेवेन्यू होगा, अगर किसी से यह उम्मीद होगी कि टैक्स वसूल हो जायेगा, तो उसके नाम को गवर्नमेंट चाहे तो न छापे। यह एक ऐसी पावर है जिसके बारे में मैं नहीं चाहता था कि यह पावर दी जाये। यह पावर इनकम-टैक्स आफिसर को दी जा रही है।

मुझे अर्ज करते हुए शर्म आती है कि आपके जो इनकम-टैक्स आफिसर हैं वे कितने कोरप्ट हैं, इसका शायद आपको इल्म नहीं है। आप कितने वाइड अख्तयारात इनको देने जा रहे हैं। वह पुराना जमान खत्म हो गया जब लोग बहुत बरस के बाद इनकम-टैक्स आफिसर बना करते थे। आजकल नये लड़के होते हैं, थोड़ी ट्रेनिंग के बाद उनको इतनी पावर्स देना, ऐसे अख्तयारात देना आप चाहें या न चाहें दूसरे, दूसरी पार्टियों को ऐसा लगेगा कि कांग्रेस पार्टी फायदा उठाना चाहती है। यह दुरुस्त हो या न हो, लेकिन मैं चाहता हूं कि उन को आप यह पावर न दीजिये। क्यों आप फर्क करते हैं एक शख्स जिसने जुर्म किया, जिस की पब्लिसिटी होनी चाहिये वह अगर जुर्म करने के थोड़ी देर बाद आप के पास पहुंचे और कहा कि साहब, मैं आप को इतना रुपया दे दूंगा, हमारा नाम मत छापिये? यह दूसरा करप्शन का सिलसिला आप खोल रहे हैं। इसका जो यह हिस्सा है यह अख्तयार है कि वह न छापें, It should be taken away. There should be the same rule for everybody. No two rules should be for different persons.

जनाब मुलाहजा फरमायेंगे ५९(बी) में एक पावर दी है कमिश्नर को कि अगर चाहे तो वह कापी भी न दे। आप मुलाहजा फरमायें :

> "if he is satisfied that there are no circumstances justifying its refusal, furnish or cause to be furnished the information asked for."

उसके अपने डिस्क्रेशन में है कि कह दे कि मैं कापी नहीं देता। यह प्रिंसिपल बड़ा आब्जेक्शनेबल है, लेकिन मैं सारे ५९(बी) के बखिलाफ हूं। इस की डिमान्ड किस ने की थी? कभी हाउस में डिमान्ड हुई कि ५९(बी) की सीक्रेसी को हटा दें? क्या फायदा होगा किसी शख्स का या पब्लिक का इस बात से कि मेरे ऊपर कितना टैक्स लगा? यह टैक्स का मामला बहुत से आदमियों को तबाह कर देगा। इस के वास्ते न कोई डिमान्ड थी और न कोई फायदा है। हां, यह ब्लैकमेलिंग के वास्ते काम दे सकता है। इसलिये यह दुरुस्त नहीं है कि सीक्रेसी क्लाज को हटाया जाय। दफा ५४ का जो सीक्रेसी क्लाज था वह कई चीजों के वास्ते अच्छा था लेकिन टैक्स इवेजन के लिये खराब था। आज हम उस के अन्दर इनरोड कर दें, लेकिन बाकी जो चीजें हैं वगैर किसी वजूहात के, वगैर किसी पब्लिक ओपीनियन के सब का आप इस तरह से फायदा न उठायें। त्यागी कमेटी ने भी यह रिपोर्ट नहीं की थी, जो कि आप ने कर दिया। आप इस चीज को इस में से हटा दीजिये।

Shri M. C. Jain (Kaithal): Sir, I rise to support this.....

डा० ब० गोपाल रेड्डी: हिन्दी में बोलिये।

श्री मू० चं० जैन: मैं इस बिल की हिमायत के लिये खड़ा हुआ हूं। और इस सिलसिले में हाउस के कुछ मेम्बरान की तरफ से यह जो सजेशन आया है कि इस को सेलेक्ट कमेटी के सुपुर्द किया जाय, मैं इसकी मुखालिफत करता हूं। मेरी राय में यह बिल पिछले सेशन में ही पास हो जाना चाहिये था। उस में देर हुई और मजीद देर करना कोई मुनासिब बात नहीं है। जो रेवन्यू कलेक्शन में गड़बड़ और टैक्स इवेजन होता है उस को यह चीज और ज्यादा लम्बी करेगी। इसी के साथ यह भी तजवीज आई है कि एक कांप्रिहेन्सिव बिल आना चाहिये और इस बिल के जो प्राविजन हैं वह भी उसी कांप्रिहेन्सिव बिल में आ जायें। मैं इस की भी इस वजह से हिमायत नहीं करता कि कांप्रिहेन्सिव बिल तो आने वाला है। वह बजट सेशन में आये या नवम्बर सेशन में आये, लेकिन उस वक्त तक जो सैलूटरी प्राविजन्स उस किस्त में हैं उन को फौरन मुख्तलिफ डाइरेक्ट टैक्सेज में इनकारपोरेट कर दिया जाना चाहिय।

[श्री मू० चं० जैन]

जहां तक इस बिल के प्रिंसिपल का सवाल है, मैं नहीं समझता कि हाउस के किसी भी सैक्शन ने उसे अप्रोज किया हो । एक बात की बड़े सीधे तरीके से मुखालिफत हुई है । मेरे लायक दोस्त श्री माथुर ने कहा कि आप जो ट्रांस्पोर्ट इंडस्ट्री पर रिबेट खत्म कर रहे हैं या जो रिबेट वापस ले रहे हैं यह बड़ी गलत बात है । मैं ने उस वक्त भी इंटरवीन किया था और फिर बड़े जोर से कहता हूं कि उन्होंने उन लाखों गरीबों का जिक्र किया था जो कि एक ट्रक चलाते हैं या कुछ और करते हैं । लेकिन वह तो इनकम टैक्स की फहरिस्त में नहीं आते, वे असेसीज नहीं होते । इसलिये गरीबों का नाम ले कर बड़ी बड़ी कम्पनियों और बड़े बड़े लोगों को, जो कि इस व्यापार में लगे हैं, एग्जेम्ट कराना कोई शोभा की बात नहीं है । श्री माथुर बड़े प्राग्रेसिव मेम्बर हैं, उन की तरफ से यह तजवीज आना मुनासिब नहीं मालूम होता । हां श्री मसानी ने उस बारे में जो तरमीम पेश की है कि इसे डिलीट किया जाय, उस की मैं सख्त मुखालिफत करता हूं और मैं समझता हूं कि मिनिस्टर साहब को यह तरमीम नहीं माननी चाहिये ।

इस के बाद इस बिल में डिस्क्लोजर और पब्लिकेशन इन दो प्रिंसिपल्स को इंट्रोड्यूस करने की कोशिश की गई है कि उन लोगों के नाम शाया किये जायें जिन्होंने टैक्स की चोरी की है । इस सिलसिले में मैं कहता हूं कि आप यह उसूल इंट्रोड्यूस भी कर रहे हैं और उस पर लिमिटेशन या पाबन्दियां इतनी लगाते हैं कि एक्शन के अन्दर यह प्रिंसिपल बेकार से हो गये हैं । मिसाल के तौर पर सरकार इस बात के अख्तयार ले रही है कि जिस का नाम चाहे छापे और जिस का न चाहे न छापे । मेरे बुजुर्ग पंडित ठाकुर दास भार्गव ने भी इस की मुखालिफत की थी, साथ ही और मेम्बरों ने भी की थी । वे कहते हैं कि क्यों गवर्नमेंट करप्शन का दरवाजा खोलती है मैं जानता हूं कि यह अख्तयार इनकम टैक्स आफिसर को नहीं है कि वह छापे या न छापे । कानून की तहत सेंट्रल गवर्नमेंट को यह अख्तयार है । सेंट्रल गवर्नमेंट के माने मिनिस्टर भी कह सकते हैं या पावर डेलिगेट हो कर उसे सेक्रटरी या डिप्टी सेक्रेटरी एक्सरसाइज कर सकते है । लेकिन उसे आप अख्तयार दे कर क्यों करप्शन का दरवाजा खोलते हैं ? पहले ही करप्शन की काफी चर्चा है, आगे हमारी सरकार क्यों इस किस्म का कानून बनाये जिस में उस की और गुंजाइश हो ? मैं समझता हूं कि जो भी पावर दी हुई है, जो भी प्राविन्जस हैं डाइरेक्ट गिफ्ट टैक्स के बारे में, वैल्थ टैक्स के बारे में, एक्स्पेन्डिचर टैक्स के बारे में कि रेवन्यू इंटरेस्ट में गवर्नमेंट चाहे तो बिल्कुल न छापे, यह गलत है । इसी तरीके से कमिश्नर को जो अख्तयार है कि किसी को नकल दे या न दे, यह भी बिल्कुल गलत उसूल है । इस में भी पूरा करप्शन बीच में आयेगा । इस सिलसिले में जो पंडित ठाकुर दास भार्गव ने कहा कि हाउस के किसी सेक्शन की तरफ से मांग ही नहीं थी तो क्यों इस को इस बिल में लाया गया, मैं उस से इत्तफाक नहीं करता । इस प्राविजन का फायदा जरूर है । बहुत से लोग हैं ऐसे वकील हैं, डाक्टर हैं, जिला हेडक्वार्टर का मुझे पता है कि फलां वकील इतना कमाता है, फलां डाक्टर इतना कमाता है, लेकिन मैं जान नहीं सकता कि उस का असेसमेंट कितना है । दफा ५४ मेरे बीच में आती है । अगर मैं यह इत्तला लेना चाहूं कि वह कितना इनकम टैक्स देता है तो नहीं जान सकता क्योंकि उस पर चोरी का इल्जाम भी नहीं है, टैक्स इवेजन का इल्जाम नहीं, पैनेलिटी भी नहीं, हालांकि मैं जानता हूं कि उस की आमदनी इतनी है कि इनकम टैक्स ज्यादा लग सके । अगर मुझे पता लग जाये कि उस पर कितना टैक्स लगा है तो मैं उस की खबर दे सकता हूं, सुबूत दे सकता हूं कि उस की आमदनी ज्यादा है । इसलिये यह बड़ा सैल्यूटरी प्राविजन है । लेकिन कमिश्नर को यह अख्तयार देना कि वह कापी दे या न दे, यह गलत है ।

दूसरी बात मैं यह कहना चाहता हूं कि जो लिखा गया है कि सिर्फ १ अप्रैल, १९६० के बाद का जो असेसमेंट है, उस के बाद की जो पैनेलिटी है उस के बारे में नाम शाया होंगे और इत्तला दी जायेगी। यह १ अप्रैल, १९६० कौन सा मुतवर्रिक या सैक्रेड दिन है कि आप उसे रखते हैं? दो साल पहले भी अगर कोई असेसमेंट होता है, एक बरस पहले भी कोई चोरी होती है, जिस में पैनेलिटी होती है तो उन के नाम भी शाया किये जायें। उन के ऊपर आखिर आप रियायत क्यों करते हैं? त्यागी कमेटी ने यह भी सिफारिश की तो इन टैक्स की चोरी करने वालों के लिये जो रियायत का जज्बा है वह क्यों है, यह मैं आप से सीधा सवाल कर रहा था। जब आप उन्हें एक्स्पोज करना चाहते हैं जो कि सोसायटी के चोर हैं, मुजरिम हैं तो उन के साथ रियायत क्यों? जब हम डेवेलपमेंट कर रहे हैं, प्लैन बना रहे हैं और जैसा ठाकुर दास भार्गव साहब ने कहा जो समाज का लाइफ ब्लड है हम उसी लाइफ ब्लड को अपने लिये रिजर्व करना चाहते हैं तो उन के लिये हमदर्दी का जज्बा क्यों है? मैं तो इस चीज को जानना चाहता हूं। १ अप्रैल का जो मामला है, वह नहीं होना चाहिये। दो बरस पहले या चार बरस पहले जिन लोगों ने चोरी की है, उन के नाम भी शाया होने चाहियें और जो इन्फार्मेशन मैं चाहूं वह मुझे मिलनी चाहिये।

इसी के साथ साथ खास तौर पर एक बात कह कर मैं खत्म करना चाहूंगा। जहां तक टैक्स इवेजन का सवाल है, त्यागी जी ने भी मुख्तलिफ मुल्कों में जो प्राविजन्स हैं, उन का हवाला दिया है, हमारे देश में अब तक सख्त कानून बनाने की नौबत ही नहीं आई। अब एक बहुत मामूली सी चीज इस हुकूमत में आई है। लेकिन उस के लिये भी हमारे मेम्बर साहबान ने अमेंडमेंट दिया है कि इन्फार्मेशन के बारे में प्राविजन है वह सारी की सारी निकाल दी जायें। मैं उम्मीद करता हूं कि यह अमेंडमेंट हमारे मिनिस्टर ऐक्सेप्ट नहीं करेंगे और जिस तरीके से यह बिल आया है, बल्कि उस में जो कुछ चीजें मैंने प्वाइंट आउट की हैं उन को इन्कारपोरेट कर लेंगे। जिस हद तक यह बिल आता है, मैं उस को दिल से सपोर्ट करता हूं।

14 hrs.

श्री स० मो० बनर्जी (कानपुर): सभापति महोदय, मैं इस बिल का समर्थन करता हूं। अभी मैं बहुत खामोशी से सुन रहा था कि कुछ लोग आज समाजपति बने बैठे हैं और सरकार को रुपया नहीं देते हैं। आखिर अगर इन लोगों के नाम शाया हो जाएं, तो उसमें क्या ऐतराज हो सकता है। मेरे दोस्त श्री झुनझुनवाला ने कहा कि इससे इस बात का डर है कि इन लोगों का चमड़ा मोटा हो जाए, ये थिक स्किंड हो जाएं। लेकिन अगर ऐसा होगा तो मैं समझता हूं कि हमारे पास ऐसी भी गोली है कि जो गैंडे की खाल को भी भेद दे जिसका चमड़ा कि दुनिया में सब से ज्यादा मोटा होता है। हमें बहुत से ऐसे लोगों के बारे में मालूम तक नहीं। मैं कानपुर का रहने वाला हूं और कानपुर की जनता ने मुझे चुना है। मैं ने गिफ्ट टैक्स, वैल्थ टैक्स और इनकम टैक्स के बारे में सवालात किए और उनके जवाबात से दंग रह गया कि मेरे शहर में ही ७ करोड़ ८० लाख का एरियर बाकी है। यह तमाम चीजें हमें देखनी होंगी क्योंकि उन्हीं लोगों में से जिन्होंने सरकार का पैसा नहीं दिया है आज कुछ लोग शहर के मेयर बने बैठे हैं, कोई एल्डर मैन बने बैठे हैं और आदमी उनके सामने जाकर सिर झुकाते हैं क्योंकि हमें मालूम नहीं कि यह लोग भी सरकार का टैक्स न देने वालों में हैं। चूंकि यह कानून ऐसे लोगों के खिलाफ कार्रवाई करने के लिए है, इसलिए मैं इसका समर्थन करता हूं।

दूसरी बात हमारे सामने टैक्स के कलेक्शन की है। आखिर उसका तरीका क्या है। मुझे यह चीज मालूम नहीं क्योंकि मेरा इनकम टैक्स डिपार्टमेंट से कोई खास वास्ता नहीं पड़ता क्योंकि मेरी थोड़ी इनकम है।

श्री त्यागी : आप बहुत खुशकिस्मत है ।

श्री स० मो० बनर्जी : मैं इतना खुशकिस्मत हूं कि मैं खाना बदोश हूं । सारे हिन्दुस्तान में मेरे पास एक इंच भी जमीन नहीं है ।

डा० ब० गोपाल रड्डी : आप खाना बदोश क्यों हैं आप तो कानपुर में रहते है ।

श्री स० मो० बनर्जी : मैं समझता हूं कि इनकम टैक्स कलेक्टर राज्य सरकार के मातहत काम करते हैं और इसलिए उनके ऊपर कुछ असर रहता है, चाहे वह सियासी हो या दूसरे किस्म का हो । मैं देखता हूं कि जब वह टैक्स कलेक्टर वसूली के लिए जाता है और किसी छोटे दुकानदार के यहां जाता है तो उसका चेहरा लाल रहता है और वह गुस्से में रहता है । और जब वह किसी कैपीटलिस्ट के पास जाता है तो उसका गुस्सा सलाह में बदल जाता है । टैक्स असेस होने के बाद मरकजी हुकूमत का काम खत्म हो जाता है और उसकी वसूली का काम जो कलेक्टर करता है वह राज्य सरकार के मातहत होता है । इसलिए मैं समझता हूं कि उसके ऊपर वसूली के वक्त कुछ असर पड़ता है । अगर ऐसा न होता तो छोटे और बड़े में यह फर्क न दिखायी देता । यह हमारे देश के लिए दुर्भाग्य की बात है । इसलिए मैं समझता हूं कि अगर वसूली के अख्तियारात भी इनकम टैक्स इंस्पेक्टरों को या इनकम टैक्स आफिसरों को दे दिए जाएं तो उनके ऊपर वसूली के वक्त वह असर नहीं पड़ सकता जो आज कल इनकम टैक्स कलक्टरों पर मालूम देता है ।

मैं आपसे सेल्स टैक्स की बात कहना चाहता हूं । सेल्स टैक्स के इंस्पेक्टर को, जो कि राज्य सरकार के मातहत काम करता है, किसी भी डाकूमेंट को देखने का अख्तियार है । लेकिन आपका इनकम टैक्स इंस्पेक्टर ऐसा नहीं कर सकता । एक इनकम टैक्स इंस्पेक्टर को साल में तकरीबन दो हजार केसेज देखने होते हैं । और अगर वसूली की पावर भी उसको हो तो शायद उसको इस्तेमाल करने की उसको फुरसत न हो ।

दूसरी एक और चीज मैं आपके ध्यान में लाना चाहता हूं जिसके बारे में इस बिल में कहा गया है :

> "Notwithstanding anything contained in this section, the Central Government may refrain from publishing the name of any person if it is satisfied that in the interests of revenue it is necessary so to do.."

मैं कहता हूं कि अगर इस तरीके की चीज हो तो भले ही वह काम आप राजनीतिक गरज से न करें, लेकिन एक इम्प्रेशन देश में पैदा होगा कि यह चीजें की जा रही हैं, शायद इनका राजनीतिक अर्थ हो । इसलिए मैं चाहता हूं कि इस बारे में किसी के साथ रियायत न की जाए । हमको सरकार का पैसा वसूल करने की पूरी कोशिश करनी चाहिए क्योंकि आज हमारे देश का निर्माण हो रहा है । हमको अपने देश का निर्माण हमेशा विदेशी पूंजी से ही नहीं करना है । हमें देश को बनाना है तो उसमें सरमाएदार का सरमाया और मेहनत करने वालों की मेहनत लगनी चाहिए । चाहे हमारा देश फर्स्ट ग्रेड का न हो सके और सैकिंड या थर्ड ग्रेड का ही क्यों न हो । लेकिन अगर वह हमारे सरमाए से और हमारी ही मेहनत से बनेगा तो विदेशी पूंजी से बनने के मुकाबले ज्यादा बेहतर होगा ।

एक चीज मैं और कहना चाहता हूं । वह यह है कि एरियर्स आफ डाइरेक्ट टैक्सेशन की वसूली कम से कम सब से पहले होनी चाहिए । फर्ज कीजिए कि किसी सरमाएदार के पास ६ लाख रुपया है और वह बाजार का भी मकरूज है । ऐसा हो सकता है कि वह अपना बाजार का कर्जा पहले देना चाहे और अपने टैक्सेज को देने में लापरवाह हो जाए या न देना चाहे । लिहाजा कानून में ऐसा

प्रावीजन होना चाहिए कि गवर्नमेंट के टैक्सेज की वसूली सबसे पहले होनी चाहिए और इस बात का अहतिहात रखा जाना चाहिए कि प्रापर्टी ट्रांस्फर न हो जाए । मैं ने देखा है अपने शहर में कि लोग इनफारमेशन दे देते हैं कि तुम्हारी वसूली आने वाली है, और वह अपने भाई वगरह के नाम में अपनी प्रापर्टी ट्रांस्फर कर देता है । उसका नतीजा यह होता है कि सरकार का रुपया वसूल नहीं हो पाता । इसलिए मैं कहता हूं कि उन लोगों का नाम जरूर शायो किया जाना चाहिए जोकि सरकार का पैसा न देकर भी ऊंची गद्दी पर बैठते हैं । अगर ऐसा होगा तो जमीन पर बैठने वाला उनसे कह सकेगा कि ऐ तख्त पर बैठने वालो आज तुमको भी हमारे सामने खाक में आना पड़ेगा क्योंकि तुम पर देश को धोखा देने का इल्जाम है और तुम्हारी वही हैसियत है जैसी कि उस आदमी की जो कि समाज और देश को धोखा देना चाहता है ।

Pandit K. C. Sharma (Hapur): I want to make only one submission. The Constitution—the law of the land—provides for the security of persons and it also provides for the reputation of the person. If anybody commits a crime, do you break his limb? You do not. If you cannot break the limb of a man simply because he has committed a crime, you cannot break the reputation of a man simply because he has evaded taxation or did not give information. If evasion is an offence, a man can be tried and can be punished but it should not be open to anybody to publish the name and thereby wreck his reputation. That is a wrong way of doing a thing and it will do no good to anybody and it is a violation of the law as laid down by the law of the land. It is a serious mistake and a blunder. A man sitting down below will look up at a man sitting up and feel: you are as good a scoundrel as I am. This is no good because reputation builds the character of the community and it encourages the community to do things which cannot normally be done. If you do this you diminish the character of the community and belittle the reputation of the citizen and take away something which is necessary for the development of a healthy atmosphere and a great civilizat on.

Dr. B. Gopala Reddi: Sir, I am indeed very happy that for two days we had a full discussion on this amending Bill. At the outset I may say that we are not trying to solve the tax evasion problem in this amending legislation. We have reserved that for the consideration of the hon. Members when the full and comprehensive Bill comes before the House and we will have ample opportunities of sitting in the Select Committee and discussing that in both the Houses of Parliament; we have deferred that for consideration at a later stage. So, let us not confuse the issue whether by amending section 54 we are tackling the entire gamut of tax evasion. We do not claim that, nor is it the purpose of this amending legislation.

Sir, hon. Members have pleaded for reference of this Bill to a Select Committee because, it is said, we are amending four Acts at the same time and there are other principles also which should be thrashed out in the Select Committee. Sir, all the amendments to all the four Acts are based on one and the same principle and, therefore, we thought that there was no need for any Select Committee. Further, the purpose of this Bill has been before the country for a very long time. The Government took a decision almost in April, 1959. That was the final decision. It was under the consideration of Government right from 1957 or so. The department concerned was asked to go into the question very thoroughly, collect information from all the various Acts in the various countries and a final decision was taken by the Government sometime, as I said, in April, 1959, long before the publication of the Tyagi Committee's Report.

But we did not take immediate action inspite of the decision because

[Dr. B. Gopala Reddi]

we felt that it was not proper when a committee was sitting on the question of income-tax and all its ramifications. We thought that there was no need to take action immediately, we could as well await the publication of the report and see what the Committee had to say in the matter.

Luckily for us, Sir, the Committee also came to more or less the same conclusion, that some of the names could be published and it will have a very salutary effect on the offenders. But I say, we did not draw inspiration from the Tyagi Committee's Report with regard to this decision. This decision, as I said, was taken finally in April 1959 and we are just implementing that decision. So it is no use referring repeatedly to what the Tyagi Committee has said on such and such a page with regard to this matter. With regard to other matters, of course, as I said in the beginning, a comprehensive Bill can be awaited. Therefore, as far as this amending Bill is concerned it is no use referring to the Tyagi Committee's Report. By courtesy we delayed action because the Committee was sitting. But the Committee also, luckily for us, as I said, has come to the same conclusion more or less though, of course, different in some of its details. Therefore, as I said, the Tyagi Committee's Report need not be brought into this picture and, as I claimed in the beginning, we are not trying to tackle the entire gamut of tax evasion in this amending legislation.

The Tyagi Committee says that the amount mentioned in the return must be published. We did not accept it. We are now saying: "tax determined". Even on merits, apart from the relevance of Tyagi Committee's Report, I feel that it is enough. After all, an assessee gives a return. If that return is made public, should it be the intention of the Government that all those people who want to make anonymous petitions, pseudonymous petitions, written petitions and all that should come forward and challege that return at that stage? No, Sir. We have thought that it would be much better if an officer goes into the question, looks into all the aspects of the return and determines the tax. If at that stage anybody wants it, it will be made available to him. Therefore, even on merits I feel that when the income-tax officer has finally fixed the amount that is due to the Government if that is made public it will give a correct picture. I do not think when the man concerned gives a return it will give a correct picture. Therefore, as I said, even on merits I think that the Government's decision is better, that only the tax assessed or the tax payable will be made available on application.

Shri Morarka complained that while the Tyagi Committee wanted only the names of those persons on whom a penalty of Rs. 5000 or more was imposed the Government are now taking power to publish the names even of people on whom a penalty of less than Rs. 5000 was imposed. Sir, after all, it is not the bigger people alone who are culpable in the matter or guilty in the matter. Even a small lawyer, a small businessman, a small doctor or anybody who is trying to deliberately conceal his income is also guilty of the same offence. Therefore, we need not be so soft on the so-called small people. If he is a tax-dodger he is a tax-dodger, whether the penalty imposed is Rs. 5000 or less than Rs. 5000. Therefore, I am unable to accept Shri Pande's suggestion that only the names of people who have to pay a penalty of Rs. 50,000 and above should be published. I do not know how many people will be subjected to a penalty of Rs. 50,000 and above. There may not be anybody at all or it may be one or two people and by publishing those names it will not serve any purpose at all. Therefore, while we ordinarily limit it to a penalty of Rs. 5000 and above we are taking the power to fix a lower limit also. It may be necessary to publish the names of those on

whom a penalty of Rs. 4000, Rs. 3500 or even Rs. 2000 has been levied. We may even retain the present limit of Rs. 5000. It may be necessary to fix a lower limit by notification. It is only an enabling provision, and I think that provision must be in the hands of the Government.

Shri Tyagi: I want to seek one clarification, I can very well understand the argument of the hon. Minister, but I would like him to lay stress or say something in support of the proposal that the names of those who have been given a penalty on account of late submission of returns etc. should also be published. That does not even bring a bad name on them. Why unnecessarily publish their names?

Dr. B. Gopala Reddi: I am coming to that. Sir, about the merits of the case I am glad that the two main opposition parties and also several Members of the Congress Party and some Independents have welcomed the basic principle of the amending legislation. After all, in details there may be difference—at what stage it should be published etc.—but with regard to the basic principle, that the so-called secrecy under section 54 should not be maintained at that level and it should be made public at certain stages for certain purposes and things like that, that basic principle, that cardinal principle has been more or less accepted by all the parties. I am glad that this amending legislation, to that extent, has received the blessings of everybody. Even my venerable friend Pandit Thakur Das Bhargava has blessed it. When he got up to speak I thought he was going to oppose the entire amending legislation but he said —I am happy—that the names of those people who deliberately conceal their incomes should certainly be published. I am happy he has given his blessings. After all, we respect his views. He is a seasoned parliamentarian and we always certainly welcome his views on whatever subject he speaks. There are, of course, other hon. friends also who have generally blessed that cardinal principle of this amending legislation.

There are certain people who apprehend that it will lead to harassment and all that. I do not know whose conscience is going to be hurt. After all, if he is an honest man no amount of blackmailing and all that will be able to put him to any difficulty. If his consciense is clear in the matter, if his own return and the tax that is determined by the I.T.O. are correct, I think he need not be afraid of any sort of probe or prying into his confidential matters or financial matters. I know that there are certain people, it may be a few individuals or scores of them, it may be a small number or a very large number —that does not matter—who will ask for the information. When they know that it is available for them on application in the prescribed form it is likely to be asked for by them. It may be their own rivals, competitors or somebody else, but the very fact that it is likely to be made known to the public and it may leak out to the Press will certainly be a deterrent on concealment. It would not be so easy hereafter, in view of this amending legislation, to do things with impunity. We want to check that tendency on the part of the people where they can just do things with impunity, where even if they are penalised they think they can pay the amount and there is the end of the matter. Hereafter he will be afraid that it will be made public. Anybody, his own rival, his own competitor in the profession, his own competitor in the municipal election or whoever it is, has just a chance of going and applying for it and he will be immediately given information as to the amount of gift-tax or income-tax or wealth-tax he is paying. If it is likely to have any adverse effect on his own chances, then he will think twice or thrice before he does anything deliberately to cheat the Government or to evade taxation. We want, perceptibly or imperceptibly, the social conscience to be effective and to see that it has an effect on his own dealings, as it were. People generally are

[Dr. B. Gopala Reddi]

virtuous because they do not want to be seen doing any bad thing or they do not want other people talking about their bad dealings. Many people are virtuous because of public opinion; they refrain from doing a bad thing because they are afraid of being seen as bad by somebody or of being reported in some newspapers. They may or may not be virtuous, but at least this public opinion is always exerting a very big influence on their dealings. Therefore, many of us perhaps are virtuous in that respect. So, here, we want the social conscience to be awakened and the public opinion to be a determining factor on the dealings of people in an invisible or an imperceptible manner, and if need be, to expose the person's weakness or the tendency to hide or conceal and evade all these things. That sort of weakness in him or the avarice to accumulate money or wealth at the cost of Government is likely to be exposed. In any case, the fear of exposure is constantly attending upon his dealings. Therefore, we expect that he will also refrain from indulging in such practices.

If it ultimately happens that the name is published, certainly he will understand the ignominy of his own people, of his relations, friends and admirers. Perhaps they will go on talking that the assessee has been penalised to such an extent under section 28 (1) (b) or 28 (1) (c) that it will become a big talk of the town and so we expect that that sort of imperceptible public opinion will influence him and drive him into doing the right thing.

The penalties are under section 28 and not under section 46 as Shri Pande feared. Only under section 28 the names are going to be published. But here again, Pandit Thakur Das Bhargava has dealt with it at great length, namely, whether it is necessary to take power under section 28(1)(a) or 28(1)(b). Though he gave wholehearted support to section 28(1)(c), he was doubtful whether the power should be taken by the Government under sections 28(1)(a) and 28(1)(b). The penalties under sections 28(1)(a) and (b) are not imposed as a matter of course. Only when there is a deliberate non-submission of returns is penalty imposed. It is an exception rather than the rule. In exceptional cases there is always an element of guilt of deliberate non-compliance. If a man is deliberately refusing to accept even the notices for months or for years, if he does not respond to letters of the income-tax officer, then, of course some penalty has to be imposed. The penalty is not going to be imposed merely because he has not seen the *Hindustan Times* or the *Times of India* which may carry the notices about submission of returns within such and such a date.

Shri A. M. Tariq (Jammu and Kashmir): Is there any limit?

Shri Tyagi: Publicity for returning the filled-up forms late, that is, for submitting the returns late or for not submitting the returns will not defame the person much; therefore, there will not be any great fear about it. It will not go down in society as a big crime.

Dr. B. Gopala Reddi: Even when the name is given, we will say whether the penalty is under section 28(1)(b) or 28(1)(c). Those particulars will be given. After all, under what section he has failed to comply with the law has to be mentioned and the public must know whether the punishment is under section 28(1)(b) or section 28(1)(c). The entire nature of the penalty will be made available to the public. After all, that discretion is there. It is not a question of penalty for delay of one or two days or a delay for even some months. After all, the income-tax officers are not so inhuman as is depicted sometimes. We do take into consideration all these factors. Time is invariably

given in the first instance. If some more time is asked.....

Shri Harish Chandra Mathur: The question raised is this: what is the purpose served? After all, there is no moral turpitude involved. We want the names to be published where moral turpitude is involved. That is the demand of the House. By publishing all sorts of names, the Government are also mitigating the influence which otherwise may be created about those people in cases where moral turpitude is involved. You are mixing up the whole thing, and diminishing the influence.

Dr. B. Gopala Reddi: There is no question of moral turpitude here. Nobody has said that by publishing the name of the person in the gazette, that man has committed any moral turpitude. We are not saying that the man has committed any moral turpitude. Here is a man who has committed an offence and has been penalised under section 28(1)(b) or 28(1)(c). His name is mentioned in the gazette. Why do you call it moral turpitude, and then ask, "what is moral turpitude?" I am not saying that the person has committed any moral turpitude. Sections 28(1)(a) and (b) are there; they have been there for a long time and they have stood the test of time. Under sections 28(1)(a) and 28(1)(b) we can levy 150 per cent. of tax; that provision is already there. You are not objecting to it. You are only objecting to the publication of the name. You may ask as to what is the use if the assessee has delayed the submission of the return just by a day, and yet we are imposing a penalty of 150 per cent. But for that penalty you are not objecting. You have no objection to that clause as it stands now. You are only objecting to the publication of the name. Therefore, I can give the assurance generally that the income-tax officers will certainly go into every detail and that they are not so inhuman as is depicted, and we will take into consideration all relevant facts before such names are published. The income-tax officer is not levying 150 per cent today though he has got the power.

Pandit Thakur Das Bhargava: No discretion is given to any officer, the word 'may' may mean that all the names could be published. If, on the other hand, discretion is given to the effect that in cases where the offence is deliberate the names shall be published, that would be better.

Dr. B. Gopala Reddi: We wanted the discretionary power. But somehow some hon. Members suggested that there should be no discrimination or discretion. Perhaps it was thought that we may hide the names of anyone of the Congress Party or of those who may be subscribing to the Congress Party funds and that therefore such things were going to be withheld. We want to exercise the discretion in a humane and a genteel manner with all due consideration. It is not such an oppressive apparatus that we are going to instal today. There may be cases where penalty is levied perhaps when it may be a week's delay. And, thereore, Rs. 5,000 may not be a big amount. In that case, whether it is necessary to expose the person to public ridicule by publishing his name is a matter which has to be considered by the Central Government. Therefore, we wanted this discretionary power. I am happy that the Tyagi Committee also has endorsed that sort of discretion with the Government.

Shri Tyagi: That is another matter. I may submit one thing here. The Minister may also be pleased to consider this aspect of the matter. By bringing in the names of defaulters in the matter of delayed submission of returns by a few months or so, the sense of condemnation which this House is anxious to enforce in the case of serious offenders would be diluted to a great extent. If all the cases are mixed up, it will be diluted.

Dr. B. Gopala Reddi: Take the case of a person who does not respond to the letters by the income-tax officer for two years or three years; he deli-

[Shri B. Gopala Reddi]

berately ignores them. Should we not have that power of penalising him and exposing him to public ridicule. I do not think that everybody is innocent. One may not respond for six months or one year and one may say that one was not in India; that one was not looking into the newspapers. There are people who deliberately ignore the notices served on them by the department. Occasionally it may be necessary for us to penalise them and also publish their names, and that is why we are having the power. As I said, under section 28(1)(c), the names will automatically be published. Under section 28(1)(a) and (b), we are taking power and if need be the penalty is levied, and we will also publish the names. Therefore, it is a permissible, enabling clause, and we need not ponder over that at great length. As I have already said, only penalties under section 25 and not 46, for non-payment, are going to be published. Then again it has been asked at what stage the names would be published. That is a matter which has agitated the different sections of the House. Some hon. Members pleaded that we must wait till the Supreme Court's decision is given. That is the highest tribunal in the land on points of law. A person can always go to the High Court or Supreme Court, and between the ITO's assessment and he Supreme Court's verdict, it will be a decade in some cases. It is therefore not possible to hold up publication till its disposal by the Supreme Court or the High Court, particularly where there is a large pendancy of cases. If we begin waiting for the verdict of the High Court or Supreme Court then we would sometimes wait for the Doomsday. It will not serve the purpose at all. We, therefore, decided that another higher officer would look into the matter. The ITO in his enthusiasm may do certain things, but it would be taken to the Appellate Assistant Commissioner and he will also look into the matter and if it is confirmed, then it will be available for the publication; otherwise no.

We feel that one appeal is enough. Otherwise, what is the tendency? Suppose I do not want my name to be published. On merits I have no case, but just on some subterfuge or pretext, to avoid my name being exposed to the public, I would drag on litigation, with the result that protracted litigation would result. Everybody who is afraid of his name being published will automatically go to the Tribunal. That means another one year or eighteen months. मुल्तवी करो इसे। All that delaying tactics of litigants, dodgers should not be encouraged. After all an officer has given the verdict and his superior officer is looking into it; it is being argued, it is being debated; and ultimately when he gives the decision perhaps at that stage it will be made available. Otherwise, we will protract litigation, and the High Courts and the Supreme Court will not be able to cope up with the work of protracted litigation.

Some hon. Members have pointed out: the Assistant Commissioner has given his verdict at Rs. 20,000 and when it goes to the Tribunal it may reduce it to Rs. 10,000. In the meanwhile, the name is published; he is already exposed to ridicule. There is an element of risk no doubt. But we do not want to protract litigation. But if the Tribunal gives a verdict modifying the penalty, it would be the responsibility on the part of Government again to publish it in the Gazette and say that the tribunal has reversed the decision or it has given a modification. The same publicity that was given earlier would again be given, so that the man would again be restored in the public estimate. We do not want to harm anybody; but we do not want to wait till the Supreme Court's judgment. Otherwise it would take years and years.

A question has been asked: when a person asks for information, at what stage should it be given? Is it immediately after the ITO determines the tax? Yes, it may be given at that

stage. Or if he wants it to be given at the Appellate Assistant Commissioner's stage, it may be given at that stage, or if he asks for it at the Tribunal stage it will be given at that stage. Because it is being given only on requisition in the prescribed form, we will see whether we can put a clause for what purpose he is asking.

My hon. friend Shri Morarka raised a very curious point that immediately the public know that so and so has been taxed Rs. 20,000 or Rs. 30,000 his credit falls in the market: and the banks and everybody, his financiers will ask: "How about the liability? You have to pay Rs. 20,000 to the Income-tax Department, therefore you pay us our debts." This it is said would spoil his credit. On the other hand, in my part of the country, very often a man paying an income-tax of Rs. 5,000 would say that he pays an income-tax of Rs. 15,000, because he wants to inflate his importance and his wealth. I know of some cases where lawyers tell the District Judges that they have wide practice, they pay a big amount as income-tax and they should be recommended for the post of public prosecutors.

Shri Tyagi: When they are at a distance from the Income-tax office!

Dr. B. Gopala Reddi: I do not think when a man is assessed at Rs. 20,000 his credit falls. On the other hand it increases. Financiers would think: he is a man who pays Rs. 20,000 income-tax; why not give him an advance or facilities for his trade. He is not a small man; he must be a big man. Therefore his importance grows up. Mr. Morarka on the other hand thinks that his importance goes down and bankers and financers would all be at his throat. It may not be correct.

With regard to withholding of names, apart from the recommendation of the Tyagi Committee, which also wanted to vest the power with the Government, there is a similar provision in New Zealand. It will be interesting to see what the New Zealand Act says:

"The Commissioner may, in his discretion, omit from any list published under this section, any reference to any tax-payer to whom subsection (1) of this section applies, if the Commissioner is satisfied that before any investigation or enquiry has been commenced in respect of the offence or evasion of which the tax-payer is guilty, the tax-payer has voluntarily disclosed to the Commissioner or any officer authorised by the Commissioner in this behalf, complete information of full particulars as to the offence or evasion."

At a particular point if he is cooperating with the Department, or if he is repentant, or penitential, his name may be withheld. After all the Commissioner is not a small officer. He is not an immature officer as was mentioned. He is the Head of a Department. Whenever he withholds any names it will be reported immediately to the Central Board of Revenue.

Supposing there are a lot of arrears, war-time arrears. If the assessee says I am going to disclose all my assets and pay higher arrears. When he is really cooperating with the Department, perhaps the Commissioner may think that he should not be exposed to ridicule and his name published in the gazette. There may be such occasions. So, the little power that Government has kept is not meant to blackmail people or suppress the names of Congress supporters. It is not meant for a purpose like that.

Shri Braj Raj Singh: What is the check?

Dr. B. Gopala Reddi: After all, as I said, whenever we withhold certain names, it must be for reasons recorded in writing. If it is the Central Government, a Joint Secretary to Government, or the Chairman of the Central Board of Revenue, has to record it and perhaps it has to be seen by a superior officer: he may be a Minister or a Secretary. If it is put down by the Commissioner it has to be approved by the Central Board of Revenue, whether the reasons recorded are correct or not. We are certainly going to have some internal checks whether

[Dr. B. Gopala Reddi]

the discretion is being properly exercised or not. It is not merely one man's whim. Whenever he withholds any name, it must be submitted to the superior officer, who must be satisfied with the reasons.

Shri Naushir Bharucha (East Khandesh): If the reasons are recorded, will the applicant know the reasons?

Dr. B. Gopala Reddi: He in only interested in seeing that his name does not appear in the gazette.

Shri Naushir Bharucha: I make an application. I ask for information about a particular assessee and that is refused. In that case, if the reason is recorded, will I know the reason?

Dr. B. Gopala Reddi: We will quote the section and say, in the interest of revenue, we are unable to disclose the name. When we withhold the name, what is the point in saying, "You may withhold the name, but give us his address, profession and things like that"? After all, if it is a penalty clause, it will be published by the Central Government. If it is the other thing—information regarding the tax determined withheld by the Commissioner—it can also be scrutinised by the superior officer.

Then, it may be that the tax has been determined, but his assets are not visible. Perhaps he has alienated it in favour of his wife, children or maternal uncle. In this case, suppose his wife comes forward and says, "Don't publish my husband's name; I am going to pay the tax of Rs. 40,000 or whatever it is." In such cases, we may take a lenient view and withhold the publication of the name. So, this discriminatory power is necessary. As I said, it is already there in the New Zealand Act. I may assure the House this power is not going to be used for any political purposes, but only in the interest of revenue, in the case of persons co-operating with the department, or paying off the arrears or giving the entire information. etc.

There is another point also. Suppose a requisition is being made by somebody with a malicious intention and the Commissioner feels that this man is asking just for blackmailing. I do not know whether it will be in the interest of revenue, but in such cases Government must have the power to withhold the name. Suppose he is a confirmed blackmailer and the Commissioner or the Central Board of Revenue knows that he is asking for everybody's assessment, then also we must have the discriminatory power to withhold the information. Otherwise, we do not want to expose all our assessees and other people who are doing business to public ridicule.

Shri Prabhat Kar wanted that at least the reasons must be given out to Parliament, even if names are not given. What is the use of giving the reasons and not giving the names? After all, you are interested in the names.

Shri Prabhat Kar (Hooghly): This will clear the misunderstanding that will be created otherwise.

Dr. B. Gopala Reddi: No purpose will be served by giving that information to Parliament or to any party without giving the names. Of course, we can give the number of such cases to the Parliament. But it serves no purpose if without giving the names, we say for such and such reason in so many cases, the names have been withheld.

Sir, I have tried to answer some of the points that have been raised. As I said in the beginning, the principle of this amending legislation has been given general support by all parties and I am happy at that. Of course, we have taken this opportunity to amend certain other sections. They are mostly non-controversial. Shri Mathur, Shri Tangamani and Shri Morarka also raised one or two points. They are all mostly non-controversial. We have taken this opportunity to put in some amendments, because some decisions were quite contrary to the intention of the Government with regard to motor vehicles, for instance. It was clearly said by Shri Deshmukh in 1955 that it was never Government's intention to apply this to office appliances and motor vehicles. Government thought that 'plant installed' will

not cover motor vehicles and things like that. Suppose some High Court thought that 'plant installed' does not necessarily mean plant implanted on the ground and any machinery introduced into the business must also get the benefit of that section. When it went contradictory to the intention of the Government, we thought we should take this opportunity of making this amendment.

With regard to trucks and lorries, the original depreciation of 25 is there. Shri Mathur need not be under any misapprehension that some big concession is withdrawn from transport vehicles. The original 25 per cent relief of depreciation allowance is being given in the case of all trucks and buses and things like that; similarly 20 per cent depreciation is there for motor cars. So, we thought this is enough and we need not give this additional exemption.

The intention of the Government was it should apply to big machinery installed, when you are going to increase the productivity of the country and not that it should apply to auto-rickshaws, taxi cabs, etc. It was not meant for those people. So, no great harm is going to ensue by clearly stating that it does not apply to office appliances like type-writers and motor cars.

Shri Morarka asked on what basis exemption under section 56A is being given to some other industries. We are not going to do anything new or fundamental. We are only exemplifying what is already stated. Interlocking is contemplated in that section. The company law tries to discourage interlocking, no doubt. But we know for certain that just now new industries are coming into being. For example, the Tatas tomorrow may be having some other industry and they may start something else. Somebody with a huge capital may start some other industry. All that interlocking is taking place and we cannot rule it out of order. When that takes place, some of those dividends received from the companies will not be subject to super-tax. We are not doing anything new. We are only exemplifying it. We are trying to categorise what sort of industries will be given relief. It is always done in consultation with the Industries Ministry. So, no great objection need be taken against that.

I feel that there is no need for any Select Committee, because the matter has been before Government for nearly 3 years. The decision to bring this Bill was taken about 17 months ago. The House was assured several times that the Bill is going to be brought soon. The whole Bill was ready in the budget session, but we did not get time then. So, it was introduced then and on the first day of this session, it has come up for consideration. Since it has received the support of all sections of the House in principle, I think there is no need for any Select Committee.

I move for the acceptance of the consideration motion.

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, the Wealth-tax Act, 1957, the Expenditure-tax Act, 1957 and the Gift-tax Act, 1958 be taken into consideration."

The motion was adopted.

Clause 2 (*Amendment of section 4*)

Mr. Chairman: We shall take the Bill clause by clause. There are no amendments to clause 2. The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 (*Amendment of section 5*)

Amendment made:

Page 2, line 25,—

after "order or direction" *insert*—

"or which may have been completed on or before such date" (1).

—[*Dr. B. Gopala Reddi*]

Mr. Chairman: The question is:

"That clause 3, as amended, stand part of the Bill".

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4.—(*Amendment of section 10*)

Shri M. R. Masani: I want to move my amendment No. 2 for the deletion of the word "or road transport vehicles".

Mr. Chairman: I am afraid that it is not in order. I will just refer the hon. Member to article 274 of the Constitution, which says:

> "No Bill or amendment which imposes or varies any tax or duty in which States are interested, or which varies the meaning of the expression 'agricultural income'....shall be introduced or moved in either House of Parliament except on the recommendation of the President."

Since the hon. Member has not produced in this House the recommendation of the President, I think it is not in order.

Shri M. R. Masani: I respectfully submit that I do not quite follow the logic of it. The clause was moved in this House by the Government. I am trying to change the language of it. I am not seeking to impose any tax or remove any tax.

Mr. Chairman: The words in the constitution are "No Bill or amendment". The hon. Member can very well see that this is an amendment.

Shri M. R. Masani: In that case, I hope you will give me a few minutes to speak on this clause.

Mr. Chairman: Certainly, the hon. Member can speak on this.

Shri M. R. Masani: Sir, Professor Herold Laski once raised a furere by alleging that the British people had a very strange sense of sportsmanship. When they lost a game that was played according to the rules, they changed the rules of the game! The present Congress Government is an expert in that kind of sportsmanship because they introduce a Bill, they get Parliament to pass a law in language which they frame, and when they find that the courts, in the pursuit of their duties, and quite rightly, interpret the law and their motives are thwarted, their unfortunate rapacious intentions are frustrated, then they come before the House and say "Let us change the rules of the game". This is one of the numerous series of instances where a complete lack of respect for the rule of law and the judiciary is being shown by the Government in office.

It is a thoroughly pernicious amendment that the Government are moving both in principle and in point of merit. It is not only the Courts that this amendment seeks to flout. Shri Mahavir Tyagi has already expressed his distress at the manner in which the Report of his Committee has been mutilated by the Government. I was the Chairman of another Committee that the Government appointed a couple of years ago. I felt honoured when the invitation to serve as Chairman of the Road Transport Re-organisation Committee was extended to me and I willingly accepted it. That Committee worked for a whole year. I had two colleagues from this House, Shri Mathur, who has spoken in the course of the debate and to whom the Minister has given a most unconvincing answer, and Shri C. Pattabhi Raman, as well as a Congress Member from the Rajya Sabha. There were two Congress M.L.As, there was a member of the Indian Civil Service and the Road Transport Controller of a major State among its members. The Committee was unanimous in its report, and among its conclusions was the paragraph on development rebate which Shri Mathur has already read before the House. So I will not read it again.

When that Report came before this House the then Minister of Transport welcome the entire Report without any reservations. The whole House unanimously endorsed the Report and, of course, in consonance with the high traditions of parliamentary democracy which the present Government are practising, they bring in a clause to do exactly the reverse of what the Road Transport Re-organisation Committee had unanimously recommended. This is their concept of Government by discussion. I wonder why we

wasted a whole year going round the country, listening to every possible point of view and coming to conclusions if, after the Government and the House accept the Report, the Government flouts the Report and does exactly the reverse of what the Committee had recommended.

I will not go into the merits again because Shri Morarka and Shri Mathur have made an unanswerable case. May I point out that ships also move, since the hon. Minister talks of installations. Well, a ship is no more an installation than a motor lorry; it is exactly on all fours. It is one form of transport and this is another form of transport. And yet the Government found it possible to swallow a ship moving around an ocean as an installation when it finds it difficult to swallow a truck or a motor car.

One can only guess why this kind of attitude is shown. I agree with Shri Mathur when he says that he wonders what the Ministry of Transport has been doing about this. The Minister did not answer Shri Mathur's question whether the Ministry of Transport was consulted about this very relevant amendment concerning them and, if so, what their reply was. I would like to remind him to answer that question when he answers this discussion. But, whatever the answer may be, the fact remains that the Ministry of Transport has signally failed to do its duty by the interests which it is supposed to guard. And that is for the good reason that the Ministry of Transport now, as ever, is thoroughly impotent when it comes to standing up against the biggest lobby in this country, the most powerful lobby in this country, and that is the Railway Board.

The Railway Board is able to influence Government in the Finance Ministy on every occasion when its own monopoly of transport is threatened, and by every means, fair and foul, the Railway Board seeks to throttle the development of road transport in this country. This has been proved over and over again. The unanimous decisions of this House are flouted because the Railway Board has a monopoly on the railways and it does not want fair competition, of which it is afraid, because it is the least efficient form of transport available in this country. We want fair competition. We do not want a monopoly to throttle fair competition which is in the interests of the country.

The Third Five Year Plan sheds crocodile tears about the development of road transport. It says on page 249:

> "Expansion of commercial road transport in the Third Plan will depend largely on the manufacturing capacity of the automobile industry in the country."

It will do nothing of the kind, Sir. The expansion of road transport during the Third Plan will depend on how successfully the railway monopoly is allowed or permitted, with the full force of Government behind it, to obstruct or not to obstruct the development of road transport. That is the real issue before the country.

While people talk of giving private enterprise a fair deal, while we talk of a mixed economy and private enterprise and public enterprise working side by side, this is a very good illustration of the cut-throat competition in which the railways indulge in when there is competition from any other side. If there is one monopoly in this countray that needs to be checked, if there is one concentration of power in this country that is pernicious and anti-social which is affecting adversely the development of the country, it is the railway monopoly of the Indian Government. And it shows that when the interests of the people and the interests of the State clash, no justice can be expected by the people of this country. I oppose most vigorously this pernicious clause which is sought to be introduced by this Bill.

Shri Harish Chandra Mathur: Mr. Chairman, the hon. Minister, while referring to this point just stated that they are doing nothing new but are only implementing what they had originally intended but through their own bad drafting....

Shri M. R. Masani: Their incompetence.

15 hrs.

Shri Harish Chandra Mathur: They had not been able to put properly in the Act their intentions because of bad drafting and because of that this interpretation has come, quite contrary to their intentions and they just now want to make good the mistake. But that is not my only point. Since the Government had formed a particular opinion even though originally they may not have wanted to give this rebate facility to road transport, what I would like to submit is this. Since this matter has been thoroughly examined and we have come to a conclusion since then, I wanted to know whether Government have examined the conclusions at which we have arrived, namely, that road transport is a very deserving case for this rebate and that the rebate which it is enjoying either because of their mistake or because of any other reason must stay there. They have made a mistake. But since they had made a mistake, road transport was enjoying this rebate. A thorough enquiry has been made into this matter and as a result of that enquiry, we have come to the conclusion that road transport must enjoy this rebate.

An argument was advanced that it was absolutely on the same footing as shipping. If you have any reason to grant this rebate to ships, there is no reason why road transport must be excluded. There must be certain reasons. That is why I asked him to explain it to us and not say only this that they had originally thought that. They had originally thought wrongly. But since they had originally come to a conclusion there has been an enquiry into the matter and we have come to certain conclusions. If I understand correctly, the Transport Ministry also accepted this recommendation of the Road Transport Organisation Committee and said, "Yes, the industry is in such a state of affairs that it must enjoy and be given the rebate as was recommended by the Committee after a thorough enquiry." Because they had simply omitted this, I had asked two questions just as my hon. friend stated whether they have further examined this question, whether they are not satisfied by this report, what are their reasons for not going by this report, why they did not accept the conclusions which have been arrived at after this enquiry, what their opinion is whether they have checked up with the Transport Ministry and whether this is also the view of the Transport Ministry. If they did not accept the views of the Transport Ministry also, he must give us certain valid reasons in that case on the floor of this House. What are his reasons for that? Why is he not accepting the conclusions which this Committee has arrived at? Why is he not accepting the views of the Transport Ministry, a sister ministry, which is concerned with the development of road transport? We are not satisfied with his simply saying that they had originally thought that road transport was not covered by this.

A lot of thinking has been done sine then about road transport. Now road transport is coming up. We also know that the future rests with road transport all over the world. Road transport has gone up. If we do not give its due recognition to road transport and just restrict its growth, we are as a matter of fact putting a premium on efficiency. It is therefore that I expect the hon. Minister to explain fully as to why he feels like differing from the conclusions of this Committee and from the conclusions of a sister Ministry. If he is not differing from a sister Ministry, let us know it and let road transport also know it that the Transport Ministry is also agreeable to this proposal. But let us know that.

Dr. B. Gopala Reddi: Sir, when this section was incorporated in the Act in 1955 or so, it was specifically stated on the floor of the House that it is not meant for office appliances, like typewriters and all that, as also for motor vehicles but that it was specifically intended for machinery or plant which being new has been installed or erected in such buildings.

It says:

> "and such machinery and plant installed and falling within the period commencing on the 1st day of April, 1949 and ending on the 31st day of March, 1959."

So, the Government always thought that machinery installed did not cover transport vehicles and things like that. That was the practice in all the Commissioners' charges all these years. But suddenly somebody took it up before the High Court and it gave an interpretation that 'installed' does not mean 'installed on the ground' and that any new machinery introduced will also be covered.

Shri Harish Chandra Mathur: What about shipping?

Dr. B. Gopala Reddi: The original intention is being defeated by this interpretation by the High Court. The existing practice is also being disturbed by this ruling. We thought that we shall take this opportunity of amending this section and of making it clear that the development rebate was never intended to be applied to transport vehicles.

Then, to say that ships and road transport are on par passess my comprehension. Road transport may mean one taxi cab, one truck and all that. A ship means that lakhs of rupees have to be invested. We wanted to give encouragement to the shipping industry specially and to things like that. I know in Madras there are road transport people who own one lorry. They want not only depreciation but also development rebate, concession under section 56A and all those concessions to be given to them. I know in Andhra, in Madras and in other places these bus people are making reasonable profits and there is no reason for giving this to a service like this. After all, it is a transport service. They are charging from the people whatever rate is admissible. Therefore to put a taxi cab, lorry, State transport or things like that on par with shipping where you have to invest lakhs of rupees passes my comprehension.

Shipping was provided for right from the beginning when the development rebate was conceived. They made a special provision for shipping. At that time nobody clamoured for the inclusion of road transport also along with shipping and things like that. It was not done. Shipping is actually provided and it gets it. As a matter of fact two years ago we enhanced it from 25 per cent to 40 per cent in the case of shipping alone. No other machinery gets 40 per cent development rebate. In the case of other machineries it is only 25 per cent. Therefore right from the beginning the intention of the Government was clearly stated, namely, that it does not include typewriters, road transport, taxi cabs, lorries and State carriages etc.

What the Transport Ministry is doing and all that kind of thing I am prevented from disclosing that and all that happens in the Secretariat. The Secretariat instructions enjoin upon us not to disclose to anybody interdepartmental correspondence. Therefore, I am unable to say as to what the reaction of the Transport Ministry is in this regard. I cannot divulge all that.

There is no amendment moved to this clause. I plead my inability to accept the suggestion.

Mr. Chairman: The question is:

> "That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 8 were added to the Bill.

Mr. Chairman: There is an amendment for insertion of a new clause 8A. Is that being moved?

Shri Raghubir Sahai (Budaun): I am not moving it.

Mr. Chairman: Then we take up clause 9.

Shri Naushir Bharucha: I suggest that clauses 9 to 13 may be taken up together because the amendments suggested by them relate to the same subject matter. I am moving my amendments Nos. 4 to 7. They are precisely of the same nature. So all the clauses and the amendments may be taken together and put together to the House.

Mr. Chairman: All the amendments relate to the same subject matter. So all these clauses and amendments can be disposed of in a consolidated manner.

Clauses 9 to 13

Shri Naushir Bharucha: Sir, I beg to move:

(1) Page 7,—
omit lines 22 to 29. (4)

(2) Page 9,—
omit lines 21 to 28. (5)

(3) Page 11,—
omit lines 9 to 16. (6)

(4) Page 13,—
omit lines 4 to 11. (7)

I do not want to speak on these amendments because I have made it clear that no useful purpose will be served by merely disclosing the assessment because that is not going to check evasion.

Mr. Chairman: The reply has already come from the hon. Minister. So, I shall put all the amendments to the vote of the House. But if the hon. Minister wants to say anything more, I have no objection.

Dr. B. Gopala Reddi: I oppose the amendments.

Mr. Chairman: Therefore I shall put all the amendments Nos. 4 to 7 to the vote of the House.

Amendments Nos. 4 to 7 were put and negatived.

Mr. Chairman: The question is:

"That clauses 9 to 13 stand part of the Bill."

The motion was adopted.

Clauses 9 to 13 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. B. Gopala Reddi: I beg to move:

"That the Bill as amended be passed."

Mr. Chairman: The question is:

"That the Bill as amended be passed."

The motion was adopted.

15.10 hrs.

BANKING COMPANIES (AMENDMENT) BILL

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Sir, on behalf of Shri Morarji Desai I beg to move:

"That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration".

Shri Braj Raj Singh (Firozabad): Sir, may I seek one piece of information? What is the time allotted for this Bill?

Mr. Chairman: No time has been allotted.

Shri Ranga (Tenali): So there is no time for it?

Shri Braj Raj Singh: As much time as you wish.

Dr. B. Gopala Reddi: It means that it is a non-controversial measure.

Shri Braj Raj Singh: After the crash of the Palai Central Bank?

Shri Harish Chandra Mathur (Pali): We will have some nice speeches on this.

Dr. B. Gopala Reddi: Sir, the primary purpose of this Bill is to fill a lacuna in the existing law about the disclosure of certain reserves and provisions made by banking companies. Under Section 29 of the Banking Companies Act and the form of the balance sheet and profit and loss account prescribed under it, banking companies are not required to disclose the provisions made by them for bad and doubtful debts and other usual and necessary provisions. The banking companies also have certain reserves which they do not show in their balance sheets. While the law provides for the non-disclosure of these reserves and provisions in the balance sheet and profit and loss account, there is some doubt if similar protection is available in other contingencies such as when the matter is taken before an industrial court or a tribunal. The Bill now before the House seeks to give in such cases protection to the same extent to which it is available so far as the published balance sheet and the profit and loss accounts are concerned.

I do not think it is necessary for me to dilate at any length on the need for this provision. The undisclosed reserves of banks are broadly in the nature of a cushion against abnormal or unexpected losses in advances, investments or other assets and also for meeting unforeseen contingencies. Banking companies have to make such provisions for maintaining their financial stability and for the reasonable protection of their depositors whose money they handle and invest. The reason why these reserves are not disclosed is that fluctuations in them and in particular drawings upon such reserves in lean years will be liable to be misinterpreted by a considerable section of the depositing public who may not fully understand either the purpose of such reserves or the nature of the risks involved in banking business. As I mentioned earlier, the law already provides that such reserves need not be disclosed in the balance sheet or the profit and loss account. If it is in the public interest that shareholders and the general public should not have information about these reserves, the same considerations would obviously have to apply when applications are made before industrial courts or tribunals for such disclosure. It is for this reason that Government have decided that it would be appropriate to remove any doubt by making a specific provision in the law that the privilege secured in the case of published balance sheet and profit and loss account should also apply where the matter is raised in proceedings before a court or tribunal. I am sure the House will appreciate that we are introducing no new principle of secrecy but merely extending the existing provision implicit in the law by an explicit enactment, so as to place the matter beyond doubt. I may also mention for the information of the House that in other countries also the practice is not to disclose these inner reserves.

While Government are anxious to maintain the secrecy of these reserves, they realise that when any matter relating to these reserves is raised before a tribunal or court dealing with the fixation of wages or bonus, the tribunal should be placed in a position to ascertain whether any amount of these undisclosed provisions was available for being taken into account. For this purpose they consider that the most appropriate agency for furnishing this information to the court or tribunal would be the Reserve Bank. The Bank, as hon. Members know, conducts a periodical inspection of banking companies and is in the best position to say whether any such company has accumulated reserves in excess of its reasonasble requirements, which could be made available for other purposes. Provision has accordingly been made in the Bill for the Reserve Bank, on a reference from the authority before whom proceedings may be pending, giving a certificate stating the amount which that authority may take into account out of undisclosed reserves or provisions. In giving the certificate, the duty has been cast on the Re-

[Dr. B. Gopala Reddi]

serve Bank to take into account principles of sound banking and all relevant considerations. The certificate would, in effect, be the judgment of an expert and outside authority which would be of assistance to the court or tribunal considering the matter.

The House will notice that while the provisions in sub-clause (1) of the proposed new section in the Banking Companies Act cover the Reserve Bank, it is not proposed to specify in sub-clause (2) any authority for giving a certificate in respect of its reserves. This stems from the special position of the Reserve Bank as the Central bank of the country. It does not do any commercial business and is primarily the currency authority of the country and a bankers' bank. Its income and profits are not comparable with those of commercial banks and the purposes for which information regarding undisclosed reserves may be required in the case of commercial banks will not arise in the case of the Reserve Bank.

Sir, I move.

Mr. Chairman: Motion moved:

> "That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration."

Shri Ranga: Mr. Chairman, what the hon. Minister has said makes it perfectly clear that here in the Reserve Bank of India we have an institution with atrophied limbs, overweighed with too many powers, and sought to be empowered very much also by this Bill, but which is unable to protect the interests of the public. It is unable to discharge its functions and its duties, and because the people have come to put so much faith in its ability to protect their interests and also because of the fact that it happens to be the main agency, and expert agency, on which the Government of India, relies, the people have come to suffer terribly. The recent failure of the Palai Bank underlines what I have said and also withdraws the only sanction that there can be behind this particular Bill.

What is it that the Reserve Bank of India has done in order to protect the interests of the depositors? All the people have put their moneys in various ways in this bank. What is it that the Government of India themselves have done is order to help, assist and inspire the Reserve Bank of India to see that these lakhs and lakhs of people who have put their moneys in the Palai Bank are protected? Only yesterday one of our colleagues in Parliament said to me that he had himself put ten thousand rupee only three months ago in current deposit, and he put it in this bank in preference to the State Bank of India. What I asked him 'why', he said, "because this bank was giving interest on current deposits also". So I said, "well, you wanted to have a share in the loot, the bank naturally could not pay you and also the other people that much of the loot and so it has gone to pieces". Then he said, "what is the earthly use of this bank being treated as a scheduled bank?" The Reserve Bank has declared it to be a scheduled bank. Therefore, surely, the Government has given, through the Reserve Bank of India a kind of an assurance to the people that whatever may be the activities of this particular bank, the deposits and other investments made in the bank would be completely safe. Then he said, "Would I get my money back or not? Possibly I would not get it, we do not know. Then what is to happen to me?" And he went on worrying himself. If that is the position in the case of a Member of Parliament, and an experienced Member of Parliament, it can easily be imagined what might be the position of the ordinary depositors in this bank, as well as in various other banks also. I dare say this question is going to be taken up for detailed and serious consideration in this House on a separate occasion. I think

I haave said enough to make it clear that the Reserve Bank of India has failed in its duty. So has the Government of India.

If it is argued, on the other hand, by the hon. Minister that it is because of the want of such powers as are now asked for that the Reserve Bank of India has failed in this particular regard, we would have no objection to give these additional powers also in order to make all the banks disclose the information that they ask for in regard to the various reserve funds that they build up and so on. Surely, I would have expected the hon. Minister and the Government to come forward on this occasion when this particular question whcih is most relevant has come up so soon after this incident has taken place, and say how the Reserve Bank has been discharging its duty towards the banking system as a whole in this country and how in its efforts to protect the interests of the depositors and the general public, it has found it necessary to ask for these additional powers also for obtaining information from the banks. Then, there would have been some justification for a Bill like this, and justification also for the Government to ask this House to agree with them. They seem to be taking their responsibility in such a light-hearted manner that they are treating each one of these things in a compartmentalised fashion: Palai Bank is another matter; some Member would ask for some information or for a two hour discussion; on that occasion, we would try to take the House into confidence and give information; this is after all only a small Bill with only a limited objective before us and therefore let us treat it in this detached secretarial fashion. I do not think it is really proper to treat the House in this fashion. I do not blame my hon. friend individually. It is the approach of the Government.

Dr. B. Gopala Reddi: You mean the Reserve Bank.

Shri Ranga: The Reserve Bank of India, the Palai Bank, and on top of them as coping stone, the Government of India which itself is a paralysed body as it appears to be. I would like, in this connection, to make an earnest appeal to the hon. Minister and through him to the whole of the Government to take emergent steps to assure all these lakhs and lakhs of depositors in that particular bank that their deposits would not be lost, that everything possible would be done in order to realise these sticky investments to which the hon. Finance Minister had made reference only yesterday and try their best to put this bank on its feet and help all these people to get back the amount of their deposits, their investments, and funds that have been placed in various other ways in the activities of this particular bank. Having said this, I would also like them to assure the general public under what circumstances they can accept the classification made by the Reserve Bank of India and the Government of India as a Scheduled Bank as a kind of guarantee for the investments and participation in the other transactions of the banking system of our country. Otherwise, what is likely to happen is, this classification that is given is being accepted by the people as a kind of guarantee and they will place all their resources at the disposal of these banks and afterwards, they are likely to burn their fingers very badly.

Shri Narasimhan (Krishnagiri): Sir, I want to join Shri Ranga . . .

Mr. Chairman: At the very outset, I should like to say that the particular problem relating to this bank is not directly in issue here. It only arises incidentally in so far as the Reserve Bank comes in here. The question is whether the Reserve Bank should be invested with these powers. Directly these issues do not arise. Incidentally they arise. I have allowed Shri Ranga to deal with it fully. I would expect hon. Members not to take too much time over the question. After all, it arises only incidentally.

Shri Narasimhan: I am referring to the same type, but another matter.

Mr. Chairman: That is relevant to the extent whether you are going to give these powers to the Reserve Bank. To directly discuss the affairs of the bank and to make an appeal that this thing should be done or that is outside the scope of this Bill though I have allowed Shri Ranga. This is an important question. Everybody is expecting this. It is in the mind of everybody. Those persons who have been injured by the collapse of the bank are really persons who do think that they should be helped. I want to make this appeal also. Shri Ranga has made an appeal. This appeal should be taken as an appeal on behalf of all. At the same time, we should not think that in this Bill we can discuss all these matters or make them very much relevant. They are relevant incidentally.

Shri Narasimhan: That is not my purpose. Shri Ranga referred to the Palai Bank. I refer to something else about the Reserve Bank. Since the Bill is based on full trust in the Reserve Bank, we should just know a little about the Reserve Bank itself. I want to make it clear that the Reserve Bank should also function properly is expected in all these matters. There was a case of counterfeiting of notes in the south. It was alleged that there was large-scale counterfeiting of notes. What happened was, all people got worried even in regard to regular notes. Notes which were legal tender could not fetch the promised money for a month or so throughout the southern area. There was some such situation there. A lot of suffering was caused to people, traders, businessmen, etc. For a long time, the Reserve Bank kept quiet about it. It did not issue any statement. People suffered in silence. This kind of cold negligence or attitude of unconcern is not expected of such a high authority. They do their job, no doubt. They are doing their work properly. Still, on occasions, they seem to fail. I hope on such occasions, they won't fail.

Shri Punnoose (Ambalapuzha): May I ask one question? Does the hon. Member know that even now there are notes about which the Reserve Bank is not quite clear whether they are genuine or false?

Shri Narasimhan: It may be so. Therefore, I expect the Reserve Bank to be more alive to its responsibilities. Not that I criticise them. These statutory institutions have a tendency to become a kind of machinery without any drive. This should be avoided. Whatever functions are allotted to them by the various statutes and the very statute creating the bank itself should be constantly performed. Even the Government should give constant directions and but in where they are expected to but in. For instance, it is said that the Bank is expected to do periodical investigations in respect of reserves and profits. If they are able to do investigations into profits, they should do investigation in respect of losses and liabilities. While the banks are now advised to disclose reserves, there should be a provision about the opposite of reserves also being made known to the public, or at least the Reserve Bank coming to know of that. I repeat that such of the authorities on which we place such thorough reliance should be alive to their task and not allow such small or big incidents as have been mentioned to take place or even big cases.

Dr. B. Gopala Reddi: Do you support the Bill?

Shri Narasimhan: I do support the Bill?

Mr. Chairman: Shri Aurobindo Ghosal.

Shri Prabhat Kar: I have been standing . . .

Mr. Chairman: Let him stand. That is no occasion for complaint. He sent his name first of all before this Bill began. There is some discretion in

the Chair to whom to call. I stood six times. I was not called. But, that is no occasion for complaint. I have to see that all Members get a chance. It is not that he will not be given a chance. The question is whether he should come first. It is a thing that should be left to the Chair.

Shri Prabhat Kar: May I only inform you, Sir, that this particular amendment is directed against the employees whom I have the proud privilege to represent?

Mr. Chairman: I do not say that the hon. Member will not make very relevant or very important remarks which should be heard by the House and by the Minister. At the same time, to insist that I should call him first and not that gentleman is not fair. Shri Aurobindo Ghosal.

Shri Aurobindo Ghosal (Uluberia): Sir, this simple provision will do a great mischief from another point of view, that is, in regard to the bonus of the employees. Bonus is still *ex gratia* payment according to the legal formula. But, except in the case of customary bonus, bonus in the case of others should have been extracted from the company if profits can be shown to the Industrial courts. When the question of bonus is raised, the question of profit also comes in. The Full Bench formula of the Supreme Court for determining bonus includes also the reserves. Nowadays banking companies have not one but several kinds of reserves like rehabilitation reserve, reserve for bad debts, reserve for taxes etc. Their tactics is to conceal their profits under these different heads of reserves. The employees are affected by this in this way that they will not be able to get any chance in industrial courts to prove that a large amount of the profit has been concealed under different heads of reserves.

This is an important point. There are several cases in which it has been found that the reserves declared by the companies are not really reserves but profits concealed in the name of reserves. So, I request the hon. Minister to consider that this provision will create difficulties for the employees in getting the bonus they are entitled to.

Much of the speculative business is conducted with the money of the banks, and they also derive a large amount of income from it. For that purpose, the banks have for long been wanting a provision like this. If this amendment is made, the banks will be given a handle to conceal their profits under different heads of reserves.

Of course, there is a provision about the Reserve Bank giving a certificate, but that is not adequate to help the industrial tribunals to get the real picture of the profit and reserves to determine the bonus. I therefore request the hon. Minister not to allow the companies to conceal their profits under different heads.

Shri Prabhat Kar (Hooghly): I rise to oppose the Bill that has been moved by the hon. Minister, but I have not tabled any amendment because that would be for the deletion of the whole provision before the House and would therefore be out of order. But I would request the hon. Minister, after listening to me, to think in terms of withdrawing the Bill.

I oppose this Bill for two reasons. With the passage of this Bill, industrial disputes in the banking industry dealing with the wages of bank employees will be reduced to a farce, because, henceforth the exact position of the banking companies will not be available to the adjudicator or even the judiciary which will have to decide the paying capacity of the bank and what the employees are entitled to get.

It is a tragedy that this Bill has been brought at a time when the industrial dispute in the banking industry regarding revision of the wage structure is pending before the national tribunal. After appointing the national tribunal, Government has thought it fit to tie its hands so that it is not in a position to go into the working of the banking industry to find out whether there is a case for a wage revision.

[Shri Prabhat Kar]

It is another tragedy—it may be purely a coincidence, a peculiar coincidence—that when the Palai Central Bank has gone into liquidation because of the mismanagement of the board of directors, further powers are being given to boards of directors not to place their secrets before the judiciary. According to the Finance Minister's statement, from 1951 to 1960 the Palai Central Bank has been carrying on activities which have resulted in a disaster, in the collapse of the bank, and now thousands of depositors and employees numbering about 750 are suffering.

Shri Punnoose: Three thousand and odd.

Shri Prabhat Kar: At this particular time, further scope is being given to the boards of directors not to tell the judiciary what exactly they are doing behind the screen.

This is the only industry where rights have been given to the board of directors not to show the correct picture to the shareholders, to the public, to the depositors. According to section 29 of the Banking Companies Act as it is in force today and the forms supplied by the Reserve Bank of India, the companies are required to show income less provisions made for bad and doubtful debts and other usual or necessary provisions. That means, if you have an income of Rs. 1 crores, you will be entitled to tell your shareholders that it is only Rs. 75 lakhs, and you are entitled to take away Rs. 25 lakhs from the profit and show it under different heads. One important head is, of course, provision for bad and doubtful debts, but there is also mention of other usual or necessary provisions.

The question is not whether there should be any provision made by the banks for and doubtful debts at all. In para 2 of the Statement of Objects and Reasons, the hon. Finance Minister says:

> "As credit institutions dealing primarily with depositors' monies, banks have to make certain special provisions against emergencies or unforseeen contingncies as a matter of financial prudence."

Nobody complains against that. Surely there must be provision made against unforeseen circumstances. But today also they have that power. Then, why has this amendment been brought in now? The result of this amendment will be that no court or tribunal will have authority to ask for the production of the undisclosed figures with a view to know the exact position of the banking company or industry. I would say that it is very unfair on the part of Government to come out with this legislation at a time when the national tribunal is sitting. I may point out before the House exactly what the tribunals and the judges feel about it. The Labour Appellate Tribunal said in the year 1954, as follows:

> "Neither before the Sastry Tribunal nor before us have the banks shown their undisclosed reserves or the profits without these deductions; and since the banks have raised the question of capacity to pay it was for them to make a full disclosure of facts. Banks feel that they now have the form of the Banking Companies Act to shield themselves against an enquiry on this subject; but in so far as we are concerned we consider these undisclosed reserves and these appropriations to be relevant for the purposes of our investigation.".

When you refer a matter for adjudication, if it is found that unless certain facts are placed before the court, it is not possible for the court to go into the matter and do justice to the case, then, naturally, the court will demand for the production of those facts and those documents. It is not possible for them to make out all these things from the balance-sheets. When a court wants certain documents for the pur-

pose of adjudication, with a view to do justice to the points that have been placed before it, then those documents must be supplied to the court so that the court may go into the matter fully.

Now, what are the types of things that can happen in a bank? The tribunal says:

> "The Bank of India in one year transferred a sum of Rs. 50 lakhs from undisclosed reserves to the general fund—quite a sizable amount which makes us wonder as to how much more of such undisclosed reserves the Bank of India had.".

In one year, if form the secret reserves, a sum of Rs. 50 lakhs is transferred to the general fund, then, it is a matter for guessing as to what the actual amount lying in the undisclosed reserves is. If this information is not given to the person who is adjudicating on the capacity of the bank to pay salaries to its staff, then how will it be possible for such a person to judge properly and adjudicate as to what should be done and what should be paid? It is not as if we are saying that the bank should come out in the open and disclose everything. But here is a special purpose for which these facts are required, because the banks are often raising the question of their capacity to pay. When the national tribunal is sitting over the question today, it is necessary that the documents should be supplied to them.

It may be stated that the Reserve Bank will give the certificate. If the tribunal wants, it can ask from the Reserve Bank for the certificate, and the Reserve Bank will give a certificate taking into consideration the relevant circumstances concerning the banking company and principles of sound banking. Thus, they will give a certificate saying exactly what ought to be taken into consideration while deciding the particular issue in a particular unit of the banking industry.

So far as the certificate by the Reserve Bank is concerned, I would only request the House to consider this thing. How is it possible for the Reserve Bank to know exactly what is happening in a particular unit of the banking industry? Before the failure of the Palai Central Bank, very recently, there was the failure of the Lakshmi Bank. You will be surprised to know that for the last fifteen years, there was a shortage of cash of the order of Rs. 35 lakhs in that bank. There have been three inspections by the Reserve Bank of India, but that could not be found out. Then, there was a quarrel between the general manager and the chief accountant; the chief accountant resigned, and he went to the Reserve Bank and gave all these facts. Then, it was found out, and then the bank went into liquidation. In these circumstances, do you think that with the present apparatus of the Reserve Bank of India, a certificate given by the Reserve Bank in regard to funds in the undisclosed reserves can be taken into consideration? The Reserve Bank of India is not actually in a position to go into all that is happening in the different units in the banking industry.

It is also dangerous from the point of view of the depositors. If at no time the undisclosed reserves are going to be disclosed even before the highest judiciary, then how do you think that it will safeguard the interests of the depositors? It has been suggested that these provisions have been made in the interests of the depositors. In the interests of the depositors the Palai Central Bank during all these years did not disclose the provision that they had made in the undisclosed reserves. In spite of that, the Palai Central Bank went into liquidation. The Reserve Bank went on checking the provision that had been made, and yet it is being found today that things have gone to such an extent that today it may not be possible for the depositors to get back their money even to the tune of 30 per cent.

It is very essential, therefore, to take into consideration, before passing this Bill, whether by passing it we are not further jeopardising the interests

[Shri Prabhat Kar]

of the depositors, shareholders and the employees.

At this particular moment, because there is a national tribunal sitting over this issue of the wages of the employees, it may very well be said that it is at the behest of the employers that this particular Bill has been brought forward. But Parliament will have to consider whether to safeguard the interests of the shareholders, the depositors and the employees as a whole, such powers should be given whereby no judiciary shall be entitled to ask for the production of those documents.

The Madras High Court has said in its judgment:

> " . . . I am satisfied that before an order calling upon the bank to produce a document is made, the tribunal should first come to the conclusion that the information contained in the document is necessary for disposing of fairly the question involved in the reference.".

When this is the feeling of the judiciary that it should be disclosed, because the matter referred to them cannot be decided unless these allocations are disclosed, then it will be quite unfair to bind the hands of the judiciary and take all steps to see that no fair deal is given to the employees.

I may point out to you that the banks feel that these undisclosed reserves should not be disclosed either to the shareholders or to the depositors etc.; they feel that these should be disclosed only to the Reserve Bank and to the auditors, because then they can come forward with the argument that all these things are audited.

As for auditors, you know, Sir, that every business house has got a special auditor. About auditors, I may just quote the words of Shri Morarji Desai himself when he was the Minister of Commerce and Industry.

This was what he said in 1957 while delivering his inaugural address at the conference of the chartered accountants. He said:

> "There are many things which may be considered wrong but which may be legal. I myself would certainly expect that you would not show a way to bring a wrong expenditure under a legal form.".

Then, he pointed out what generally people thought about the auditors, and said:

> "But people like myself who would not like to attribute motives would say that you are perhaps not careful as you should be in such matters or you are not allowed to be as careful as you should be by the cleverness of the people whose conscience-keepers you are. "If respect is to be earned, it is necessary to create a confidence in all concerned that the skill with which you can clothe accounts will not be utilised for covering up a wrong expenditure in a very legal form".

The auditing of the firm and the auditors' note is no guarantee that all that has been stated over there is the correct thing. I have quoted the hon. Finance Minister to show how these things are done and what is the value that can be attached to them. The Reserve Bank's certificate cannot be taken to represent exactly the picture in the banking industry. It is not our claim that all these things should be shown in the balance sheet; it is not our claim that there should be publicity given to it. But if it is found by the judiciary that without the disclosure of these facts, the issue cannot be decided, in that case the bank concerned should be asked to produce it.

I would only like to point out that the Reserve Bank's checking apparatus cannot be relied upon to give the correct position. We know about the Lakshmi Bank and now the Palai

Central Bank. I would point out that in respect of the Mundhra Deal, he had dealings with a foreign exchange bank. During this period, there was checking by the Reserve Bank. In spite of it, the men who helped Mundhra were allowed to leave this country and no steps could be taken against the bank because of the manipulation that it made.

The Reserve Bank is not in a position to know. I know the difficulties. I know the ingenuity with which the bankers manipulate. I am not making any charge against the Reserve Bank, because it is helpless in this matter. Under such circumstances, any certificate that the Reserve Bank will give will not be valid. Now, instead of asking the bank concerned to produce the information, it is suggested that the Reserve Bank should give a certificate. As I have already said; it is not possible for the Reserve Bank to know exactly what is happening in the particular banking institution. It will be unfair on the part of Government to allow the board of directors to further conceal the facts and deprive the employees of their due at a time when the issue is before the national tribunal. They may be debarred from taking up this issue because the bankers have already taken up the issue of their incapacity to pay. Therefore, this question will again be brought up, but this time, the bankers will come and say, 'Here is the law passed by Parliament. You have got no authority to ask for any information. If you want anything, you can go and ask the Reserve Bank'.

Then again, the Reserve Bank is also a party before the national tribunal. It is also an employer. So it is interested in finding out how the workers should be deprived of their legitimate claims. This amounts to a party to the dispute giving a certificate to the effect that whatever another co-party has stated is the correct thing. I think this is also unfair.

You, Sir, are a very old lawyer. You know exactly how in the judiciary these things should be treated. Do you expect that a party to the dispute—one of the employers—will give a certificate saying that the other employer is not in a position to pay, and that that will be taken as final? Is it a fair proposition at this moment? Is it a fair proposition which you expect from the Government? Can you allow these things to go on?

I would apeal to the hon. Minister that at this moment, when we are finding that the present law, of the Reserve Bank and the Banking Companies Act, is not at all suitable to cope with the ingenunity of the board of directors to manipulate accounts, as a result of which we have seen immediately the failure of the Palai Central Bank—and perhaps we do not know what is going to happen—instead of bringing this Bill, really a comprehensive Bill should be brought forward amending the Banking Companies Act and tightening up the procedure so that the picture that we see today in Connaught Circus where thousands of small depositors stand and go on weeping and the picture that is published in the Press, may not be repeated. It is not by this sort of amendment that that object can be achieved. By this amendment, Government are going to further help those persons who want to dodge the depositors, shareholders and also the employees. I would again appeal to the hon. Minister to re-think, particularly in these circumstances, when the national tribunal is pending and when we have immediately seen the failure of the Palai Central Bank, and withdraw this particular amending Bill and come forward with a comprehensive Bill amending the Banking Companies Act so that we can tighten up other measures in order that what is happening today may not happen again. This is my earnest request to the hon. Finance Minister. As I have said, this Bill will be quite unfair to the employees because this provision is meant directly against them with the result that they may not be given a fair deal in the hands of the judiciary, although the judiciary may be

[Shri Prabhat Kar]

inclined to grant them exactly what they should get.

Dr. B. Gopala Reddi: This Bill was brought forward with a specific purpose but hon. Members have surveyed the activities of the Reserve Bank in a wide measure, from the counterfeit notes of Coimbatore to the colapse of the Palai Bank and the failure of the Reserve Bank. If any lesson is to be drawn from the failure of the Palai Bank, it is this that there is an imperative necessity for all the banks, Scheduled and non Scheduled, licensed and unlicensed, to build up not only ostensible reserves which they can show in balance sheets but also inner reserves to meet times of emergency. At least after the failure of the Palai Bank, the hon. House will give wholehearted support to any measure which will enable all these banks to build up these inner reserves. It is necessary, in the interest of depositors and in the interest of everybody concerned, that these banks should have inner reserves.

With regard to the counterfeit notes, it is not as though the Reserve Bank kept quite. After all, the information must come in. Before they issue any communique, they must have some information from the CID or whoever it is so that they can tell the public about the likely counterfeit notes that are prevalent in the market. Without any further information, if they simply say that every note is legal tender and it can be exchanged at the State Bank branches and things like that, it will not be giving correct information to the public. So they have got to get the information from their sources. The Reserve Bank also issued a communique assuring the people that the public need not be under any misaprehension that every hundred-rupee note in Madras is counterfeit note emanating from Coimbatore. The Reserve Bank took a little time to get the information. But they assured the public that there need not be any suspicion that every currency note is suspect.

In regard to the Palai Bank also, as the Finance Minister explained in the brief statement he made, it is not the failure of the Reserve Bank at all. They wanted to help the Palai Bank at every turn. They were giving the Bank instructions from time to time, but when the directors refused to carry them out, after all, the inevitable collapse had to come.

Shri Narasimhan: Was it not at the cost of the depositors?

Dr. B. Gopala Reddi: Otherwise, if it was a long time ago, some other set of depositors would have suffered.

Shri Prabhat Kar: What steps have been taken against the directors?

Dr. B. Gopala Reddi: That is also a matter on which the Finance Minister assured the House that if there is any misdemeanour on the part of any of them, if they did anything palpably wrong, they would be brought to book.

Shri Prabhat Kar: In 1951, the deposits were to the tune of Rs. 2·5 crores. Now these deposits are of the order of Rs. 8·5 crores. If steps had been taken earlier, perhaps Rs. 6 crores of deposits would have been saved.

Dr. B. Gopala Reddi: They must be given reasonable chance to rectify themselves, to rehabilitate themselves.

Mr. Chairman: It is a separate question. It does not arise here.

Dr. B. Gopala Reddi: Therefore, I was saying that these matters that were referred to were not inherent in the amending Bill at all.

Whether these are meant for the public or for the employees, it is not always that the employes should have the first charge on all the profits that the banks make. Certainly, the claims of their clients, the depositors, must have prior consideration. Then when

there is a dispute between the management and the employees, when there is a tribunal sitting the question is whether it is proper for the tribunal to try to know and see how much inner reserves are available so that they could be distributed by way of enhanced emoluments to the staff and things like that.

16 hrs.

Shri Prabhat Kar: Where is the question of the distribution of inner reserves? No tribunal has suggested the distribution of inner reserves. It is the capacity of the bank. It is not a question of the distribution of the inner reserves. Nobody has suggested that and no claim has been made for that.

Dr. B. Gopala Reddi: Then why do you want to know how much is the inner reserve? Because you want to show to the tribunal that there is some money available and just to cheat the employees and not give them bonus they are trying to build up inner reserves.

Shri Prabhat Kar: Leave aside the question of bonus; even the salaries are not paid.

Dr. B. Gopala Reddi: The tribunal will certainly go into the question of the profitability and profit-making of the bank and the capacity to pay the bonus etc.

Shri Prabhat Kar: Who is to decide?

Dr. B. Gopala Reddi: After all, even the previous position was that it used to be made known to the officer in charge of the tribunal, the presiding officer; but he could not give it out to the public nor utilise it in the judgment and things like that. It was a very irksome position which some of the presiding officers of tribunals did not like; and they themselves suggested an amendment of the Banking Companies Act. But that is a different matter.

Here we say, something is being built up and the Reserve Bank will give a certificate whenever it is demanded. It is obligatory on the part of the Reserve Bank because they are in possession of every information.

Shri Narasimhan: Will they be published?

Dr. B. Gopala Reddi: The Reserve Bank will give the certificate, a certificate whether they have enough or more and, if more, how much more. All that information would be available to the tribunal. But beyond that, no further information will be available to the tribunal. A provision like that is really necessary to enable the banks to build up inner reserves. Otherwise, at every stage, when the employees go on a strike or give notice of a strike. the tribunal will be enquiring how much is the reserve and things like that and try to utilise that information which will not be in the interests of the banking institutions at all.

Shri Prabhat Kar: Till now no tribunal has insisted on that.

Dr. B. Gopala Reddi: Auditor's certificate cannot be relied upon like that. Here it is not a question of the auditor or the employee and the management and things of that sort. The Reserve Bank of India is a central body which is making periodical inspections of the banks. It has a large inspectorate and they are not in the employment of the banks.

Shri Prabhat Kar: They are parties to the dispute.

Dr. B. Gopala Reddi: They conduct periodical inspections and they are in a position to certify what exactly is the inner reserve, whether it is enough or not or whether it is in excess, and if so, how much in excess and how much of that is available for distribution as bonus. This position

[Dr. B. Gopala Reddi]

must be satisfactory and nothing more need be given to the tribunal. To say that the Reserve Bank is a party is not correct. The Reserve Bank has always been generous to its employees. It pays its employees more than the Government of India and more than any other institution in India and it always sees that its staff is given the necessary emoluments. *(Interruption)*. They are given necessary accommodation; in big cities there are big plans for housing. It is no use blaming the Reserve Bank and doubting its capacity to give that certificate. It is a bankers' bank and it is an institution which can give a certificate whether any particular bank has got the inner reserves and some excess or not. The Reserve Bank must be taken as experts.

After all, what even the president of the tribunal can do? He may be a judicial man; but he has not got that expert knowledge to go into all the assets and liabilities of the bank. But, here, the Reserve Bank has got a large inspectorate and they are in possession of the facts. Therefore, the certificate of the Reserve Bank must, certainly, be accepted as expert advice. It will help the tribunal to come to a correct conclusion. Otherwise, a layman—or even a judicial man—who is not well-versed in matters of banking and all that may not be able to get at the truth. If the banks want to cheat the Reserve Bank they can cheat the tribunal too. If the Reserve Bank could not be given all the information then what will the tribunal get? This is a necessary thing and it will enable the banks to build up inner reserves. The information may not be available to the tribunal in all its complete form—for distribution of bonus and things like that.

Therefore, I move.

Shri Prabhat Kar: This provision is already there. This was the practice. It is not a new provision that is being made.

Dr. B. Gopala Reddi: Nothing new is being made.

The Minister of Finance (Shri Morarji Desai): The provision is only being made clear in order that my hon. friends who are in the Opposition may not raise this sort of issue and create doubt. The doubt is being removed.

Shri Prabhat Kar: It is the judge sitting in court.

Shri Morarji Desai: All right.

Shri Prabhat Kar: He has the right to interpret and interpret properly.

Shri Morarji Desai: He interprets law and does not make law.

Mr. Chairman: The question is:

"That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration."

The motion was adopted.

Mr. Chairman: We will now take up clause-by-clause consideration. There is an amendment of Shri Raghubir Sahai. He is absent.

Now, the question is:

"That clauses 1, 2, the Enacting Formula and Title stand part of the Bill."

The motion was adopted.

Clauses 1, 2, the Enacting Formula and Title were added to the Bill.

Dr. B. Gopala Reddi: Sir, I beg to move that the Bill be passed.

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

16.08 hrs.

MOTION RE: REPORT OF UNIVERSITY GRANTS COMMISSION —*contd.*

Mr. Chairman: Now, we will take up further consideration of the following motion moved by Dr. K. L. Shrimali on the 5th August, 1960, namely:—

> "That this House takes note of the Report of the University Grants Commission for the period April, 1958—March, 1959, laid on the Table of the House on the 24th February, 1960."

The time allotted is three hours and the time taken already is 2 minutes. So, there are 2 hours and 58 minutes. Dr. Shrimali.

The Minister of Education (Dr. K. L. Shrimali): I should not like to take much time of the House because some of the Members have requested that they might be given an opportunity to speak—particularly, my hon. friend Prof. Hiren Mukerjee since he is leaving tonight. Therefore, I would only make a few preliminary remarks before the House takes this report into consideration.

I was saying that the Central Government and the University Grants Commission have limited responsibility, and that responsibility, except, of course, for Central Universities, confines itself to the maintenance and determination of standards. And, it is with that view, under the provision of the Constitution, that the University Grants Commission has been set up.

I am reminding this House of this fact because very often when the report is considered one gets the impression as if the Central Government have taken over complete responsibility for university education. That is not so. The State universities are set up by the Acts of State Legislatures. The administration of the universities is entirely in the hands of the universities which are themselves autonomous bodies.

Shri Ranga (Tenali): In name.

Dr. K. L. Shrimali: The University Grants Commission is giving assistance to the universities for certain development programmes and development schemes and for improving certain facilities so that the standards might be improved. The University Grants Commission is making an effort to persuade the Universities and the State Governments to accept its policies and programmes. The report makes it clear that in some cases the State Governments do not accept the advice. What is to be done? Under the Constitution, the Universities are created by an Act of the State Legislature and they are free to run them in the way they like. The only thing that the Central Government and the U.G.C. can do is to tell the Universities that if they do not follow the policies and programmes, they would not give financial assistance and in some cases the U.G.C. had refused to give financial assistance. That is the only thing that it can do.

Shri Braj Raj Singh (Firozabad): That is a very important and vital thing.

Dr. K. L. Shrimali: Yes. I would like the House to remember this fact because the Commission has to work under certain limitations. It was trying to bring round all the Universities and by and large most of the Universities had accepted the policies and programmes laid down by the Commission and the Central Advisory Board and the Government of India. But still one finds some lapses here and there.

Another thing which should be remembered by this House is that in education results cannot be shown quickly. It takes time. If you improve the salaries of teachers today you cannot show the results tomorrow. Reforms wil start making their

[Dr. K. L. Shrimali]

impact in course of time. One of the important things that the U.G.C. has done is to improve the salaries of teachers, which is the central problem in the whole system of education. We must try to bring in better quality of teachers. That is the crux of the whole problem. With the cooperation of the State Governments the U.G.C. has tried to tackle the problem of upgrading the salaries of teachers. In that scheme the affiliated colleges were not brought in at first. I am glad to say now that these colleges have also been brought under this scheme and the teachers of those colleges will get the benefit of this scheme.

Other efforts have been made. Libraries have been improved. Better laboratory facilities have been given. Teacher-pupil ratios have been improved. The Commission said that in the affiliated colleges they should not have more than 800—1,000 students. The whole purpose is that there should be better relationship between teachers and pupils. We should try to improve teacher pupil ratio so that the teachers are able to give proper guidance to the students. All these things narrated above will no doubt make an impact on the education system but they cannot be expected to produce results tomorrow. It will take some time. In dealing with the universities we have to show a great deal of patience.

Lastly, I would like to appeal to the House that in dealing with the Universities, as far as possible, we should try to make a non-partisan attitude. In U.K. they have established a convention that no questions are put in Parliament about the Universities. The Universities are not discussed in the Parliament. There also the grants are given by the University Grants Commission but the Universities are not discussed in Parliament. This House in its wisdom decided to discuss the matter. We can set up our own conventions in this matter and discuss the Universities. Universities do not serve any particular section or political party. They serve the country and the nation as a whole. They are instruments for uplifting the whole of our country; (*An Hon. Member*: They should be so.) Therefore, I will only appeal to the House that in discussing the Universities' problem as far as possible we should try to make a non-partisan attitude and approach and exercise some patience with the Universities because it will take some time before results become visible.

I would not like to take more time because I would like to give an opportunity to Shri H. N. Mukerjee who is leaving tonight and benefit by his advice and comments on the report. I will have an opportunity to reply to this debate and so I would like to finish at this stage.

Mr. Chairman: Motion moved:

> "That this House takes note of the Report of the University Grants Commission for the period April, 1958—March, 1959, laid on the Table of the House on the 24th February, 1960."

There are certain amendments. Are they moved?

Shri Braj Raj Singh: Sir, I am moving my amendments. But in the last sentence of my second amendment—amendment No. 4—it reads: "which they choose to elect". It should read "whichever they choose to elect."

Mr. Chairman: I think the other amendments are also moved.

Shri Vajpayee (Balrampur): I beg to move:

> That at the end of the motion, the following be added, namely:—
>
> "and is of opinion that no restrictions whatsoever on the admission of students to Universities can be deemed warranted unless adequate avenues of later-

native training and employment are first made available." (1)

Shri B. K. Gaikwad: I beg to move:

That at the end of the motion, the following be added, namely:—

"and is of opinion that the University education should not be made the monopoly of a few but should be made available to the masses, the backward classes of India, at any cost." (2)

Shri Braj Raj Singh: I beg to move:

(1) That at the end of the motion, the following be added, namely:—

"and disapproves of the views expressed by the Commission with regard to the medium of instruction in Universities and recommends to the Government that upto graduate classes the regional language be declared as medium of instruction and for postgraduate studies Hindi be declared as the medium of instruction". (3)

(2) That at the end of the motion, the following be added, namely:—

"and is of the opinion that restrictions of whatever character on the admission of students to Universities should not be placed and if ever they are placed then there should be a condition precedent that all those students who are refused admission in the Universities shall be given some alternative technical or vocational training or employment whichever they choose to elect." (4)

Mr. Chairman: The motion and the amendments are before the House.

Shri H. N. Mukerjee (Calcutta—Central): Mr. Chairman, I am thankful to the Minister for his courtesy in cutting short his speech in order to enable me to participate in this discussion on which I am particularly keen and I think I can best reciprocate his courtesy by assuring him that as far as the question of university education is concerned, we do not have a party approach. We believe that after all higher education makes a large contribution to the development of our country and we should all pool our resources together so that our education might be worthy of the kind of country which we are trying to build.

By and large, the U.G.C. has been doing work which has earned appreciation and in the latest report towards the end there is a welcome note of humility where the Commission refers to its inability to deal with the problems as quickly as might have been desired and I think this House should strengthen the hands of the Commission when it makes a complaint that it was not consulted or consulted in a perfunctory way regarding the setting up of many new Universities. I find, for example, from an answer given in this House on the 8th of August that the U.G.C. was not consulted or its advice was not accepted in regard to the University of Kurukshetra. Personally, I have a feeling that the Sanskrit Maha Vidyalaya at Banaras is a very sound proposition. As far as Kurukshetra is concerned, we have to think very hard before we can consider it right to have a University there because it might be a University only in name. But in this regard, the Commission's advice was not accepted.

The Minister has said that the U.G.C. has not much control over the Universities except in regard to its allocation of grants. But I feel that this House is particularly keen to find out why it is that in the Central Universities which are directly under the control of Government, the U.G.C. cannot make a better showing of it. It may be the Ministry of Education had a special division to look after the Central Universities. I do not know. But I should think that the University Grants Commission has a direct responsibility for the conduct of affairs at Banaras, Aligarh, Delhi and Vishwa Bharati and, surely, in some of these

[Shri H. N. Mukerjee]

places everything is not very lovely in the garden.

Sir, a question arose the other day in regard to which the Report of the University Grants Commission has given us some points, and that is in regard to the number of students in colleges and universities and what we are going to do about it. The Commission reports that in 1958-59, the number of students at universities was about 8,50,000. This number is growing. Are you bothered about this growth in the number of students at the university stage? We find that the other day the Minister made a statement which was construed by most of us, at least on this side of the House, as imposing very special restrictions on the admission of university students.

Sir, I agree entirely that we should have the best of our students entering the university stage, but I know at the same time that we cannot have the best of everything in our country as it is conditioned at the present time. Even if you have a good deal of tests it is discovered that the students perhaps do not come up to the mark—may be, it is not the fault of the students, it is the fault of the environments, educational process and all that sort of thing, but the fact remains that we do not have in our country up to the present day a sufficient supply of adequate personnel. And, therefore, I believe that the first thing which the Government should do today is to ensure that the gates of higher education are not shut in the face of those who are willing and able to enter.

Now, some observations which are cheap and facetious have been made by the University Grants Commission, and at page 13 of the Report, the Commission says:

> "But the university should not be treated as though it were some kind of a waiting-room in which young men and women collect before entering upon a wage-earning career."

I think it is rather in a kind of taste which I do not approve of to refer to students looking forward to the opportunity of university education as having collected in a waiting room. That is not the kind of attitude which we expect from the University Grants Commission. I would like Government and the University Grants Commission to have respect for the urge of our people for higher education which has found expression in the past in the setting up of so many colleges sponsored by private individuals.

Now, this thing has gone up, and now when you are shutting the doors to our young people because of the lack of opportunity for vocational, technical, professional and other kinds of education, you find people who are passing certain examinations, who under the rules are eligible for admission to universities and yet you are stopping them by putting up a new kind of barrier by asking for a new kind of criteria.

I was rather pleased, sometime ago, to notice that the Secretary of the University Grants Commission, Shri Samuel Mathai had been to Calcutta last February and he spoke to the students of the Scottish Church College, and there he had pointed out that only 2 per cent. of those in the 16 to 23 age group had the opportunity for higher education. He gave these figures—I am quoting from the *Statesman* of 4th February, 1960—in the context of the oft repeated remarks about over-crowding in colleges and universities. I think this House should make it clear, as we have found sometimes governmental agencies also to point out, that we should not have any nervousness about the increase in the number of university students. Sir, I am quoting from the papers supplied to the Education Panel of the Planning Commission, and at page 3 of the papers supplied it was said that "the

increase in the number of university students in the developing economy of India cannot be looked upon with much apprehension, the students who would be educated in the Third Plan would be needed for employment in the Fourth and the Fifth Plans when the increased tempo of industrial and economic development of the country would probably require larger numbers of suitably qualified persons". There is no need for us to bother about the danger of the numbers increasing as far as university education is concerned. Besides, we have to consider the condition of our students in contrast with the students in the more advanced countries of the world. In United Kingdom, 75·7 per cent. of the students in the institutions of higher education are in receipt of financial assistance from one source or another—I am quoting from the Draft Outline of the Plan which has been supplied to us. When that is so, it is rather cruel and it is rather unmindful of the interests of the country that an effort appears to be made to shut the doors of higher education. Let there be alternative arrangements made—evening courses, correspondence courses or whatever you think fit—but let not the doors be shut in the face of students who are aching and yearning and thirsting for an opportunity for participation in higher education.

Sir, I welcome the observations of the University Grants Commission in regard to the recognition of the role of affiliated colleges which we have been told must go on receiving attention for a very long time. At page 10 of the Report some very good observations have been made about the scale of pay of the teachers. The Report says:

> "We feel that the basic time-scale of pay for university and college lecturers should compare favourably with that offered for Class I posts in the administrative services of the States and the Central Government."

I know, Sir, that money is not the sole criterion. Many of those who join the teaching profession are not asking for higher emoluments just for the sake of it, but since money is important in real living terms, it is necessary that you make such provision as is absolutely essential for their carrying on.

I take this opportunity of drawing the attention of the Minister also to another matter which is being felt very acutely in at least the place from where I come, and that is the mismanagement which is taking place over the introduction of the three-year degree course. There is a gap between secondary education and higher secondary schools. There are very few higher secondary schools. Pre-university courses promise much trouble because they have not been organised very properly—books are hardly available, the curriculum has hardly been settled and sometimes we find that even after passing the higher secondary examination students are being asked to read for a pre-medical or a pre-engineering course. The idea certainly was that after passing the higher secondary examination a student would be in a position to walk into any of these professional or technical institutions; but, as a matter of fact, it has been found necessary to have a pre-engineering or a pre-medical course. But the whole thing is a mess-up. I feel that the present generation students at this stage are being sacrificed because you have introduced something which you cannot carry into effect as efficiently as we wish you to do.

In regard, also, to observations made in this Report about the medium of instruction, I have to repeat my misgivings which I expressed last year also. The Commission says that the question of the medium of instruction is an academic and not a political question. But I feel that in academies also, there may be and there are vested interests and, perhaps, there is some opposition to the introduction of Indian languages as the medium of instruction in the universities, because in that case the occupation of many of those who are running the universi-

[Shri H. N. Mukerjee]

ties would be gone because they are specialised only in English and they cannot speak a few consecutive words of our own language. That being the trouble, I believe, Sir, some very special steps ought to be taken.

I feel, for instance, that no serious steps are being taken in order to publish books, worthwhile books in Indian languages. The University Grants Commission has taken no initiative at all in getting the universities to sponsor special schemes for the publication of books in Indian languages. We have to have good books. There are cram books in the Indian languages. It is a shame that our students are given a supply of cram books. But good books will not sell immediately because the students have been accustomed to these cram books, and good books would need to be subsidised, they would need to be sponsored by educational institutions. The universities should be specifically asked and special grants should be given so that books can come out in Indian languages, books can be utilised for purposes of instruction in the higher stages. I believe, this question of the publication in Indian languages is extremely important. I have been shouting myself hoarse about it. I referred to this matter in the last year's discussion of the Report. But, as far as I can find out, the University Grants Commission has taken not the silghtest note of the urgency of assisting publication in Indian languages.

I find reference in this report to the question of student indiscipline, a matter which comes up in this House quite frequently, but I feel that where certain cases of absolutely inexcusable indiscipline have sometimes appeared, it is very easy to blame, it is very much more necessary to understand, even though sometimes the conduct of students has been inexcusable, perhaps more often than not, the authorities have been no less to be blamed. I know, for example, in Calcutta, there was some trouble over the examinations. Surely, I would not like the students to be very indignant if the questions happen to be rather stiff, but if the questions have no relation to the syllabus at all, if it so happens that those who set the questions and those who moderate the questions have not really taken that amount of pain which it was absolutely their bounden duty to do, then surely something is very rotten somewhere. And not only attacking the students' indisciplined behaviour would solve the matter; it is necessary for us to find out where the fault is being committed by people in authority. Are the minds and bodies of our students adequately occupied? How is it that we expect our students to behave very much better than they sometimes do?

I am not holding a brief for the indisciplined behaviour of the students, but I know very well that all kinds of vested interests work. I know my hon. friend the Minister will perhaps say that the political parties are the villains of the piece; they are the culprits; that the political parties should take their hands off the students' associations, that the students should cease to take any interest in political parties and then everything will be lovely in the garden. But trouble arises more often because of faction fights for university control and near that area political parties which you have in mind have had no opportunity to go, as in Lucknow where there were some big bugs in the Government or formerly in Government who wanted to control the university and a situation was created where naturally there were some unsocial or anti-social elements who got their opportunity. There is absolute demoralisation all-round as far as educational institutions are concerned, because the old idealisms about which we used to hear in the old days seem to have vanished. There is such demoralisation and there is such an attempt on the part of vested interests who have nothing to do with the Opposition political parties that these vested interests fight for power and even want to control the universities.

I know it for a fact that in the Senate election in Calcutta, the ruling party of the country set up a large number of candidates—all kinds of constituencies. This sort of thing happens all the time. It is no good merely blaming the students. I know it is sometimes said that students should not take interest in political matters. In England,—in the Oxford or Cambridge or other universities—the students have their own associations. There are Conservative students' organisations, Labour, Liberal, so on and so forth. You cannot stop the students of an independent country from taking a lively interest in political matters, though of course there are certain limits beyond which, during the period of study, students should not go unless there is a very serious national emergency, of the sort which incited the students of Korea or of Turkey to come out in masses and demonstrate, and all that kind of thing.

Shri Ranga: To throw out the existing regime.

Shri H. N. Mukerjee: Except in emergencies, the students need not come out and have this kind of demonstrations at all. But, at the same time, it is very necessary for the students to try to have a grip on the matters which agitate everybody and to understand the political factors which prevail in the world today. Therefore, I feel there is no use blaming political parties. Political parties would not like to poke their nose into university affairs. It is only because university affairs are mismanaged; it is only because the academic spirit is vanishing from our universities and it is only on account of demoralisation these instances of student indiscipline take place.

This deterioration of academic quality is a very serious matter. We find academicians running after bureaucrats or trying to become bureaucrats themselves. I hate to have to say this —the Prime Minister is a very fine man with a passion for science—that foreign people have commented that it is rather peculiar that every session of the Science Congress has to be inaugurated by the Prime Minister, perhaps because many of our scientific experts want to be on the right side of the Prime Minister and want to be photographed along with him and all that kind of thing. It shows that there is something wrong. I am not saying this off my own bat. Foreign scientists like Professor J. B. S. Haldane have remarked about the Science Congresses becoming a *tamasha*, becoming a mere demonstration and serious scientific students do not find very much that is taking place in the Science Congresses of which they can take advantage. Our national laboratories have not produced results which we fondly expected of them.

I feel also that the University Grants Commission should put its own house in order. I have discovered from the figures which we get in answer to questions in the House that it is a very top-heavy organisation. I cannot understand why, for example, in answer to Unstarred Question No. 1688, on the 2nd April, 1960, Dr. K. L. Shrimali informed us that in 1958-59, the pay of officers amounted to Rs. 1,04,237:53 and the pay of the establishment was Rs. 1,01,332:56; that is, the pay of officers is higher in total than the pay of the establishment. It seems rather top-heavy. The officers including the Chairman cost more than the estblishment. The officers....

Mr. Chairman: Order, order. Before the hon. Member proceeds further, I think it is better to fix the time-limit for speeches. There are only two hours and a few minutes left. I have got the names of 16 hon. Members before me. They all want to participate in the discussion. Therefore, I would fix the time-limit for each hon. Member as ten to 15 minutes.

Shri N. R. Muniswamy (Vellore): The time allotted for this may be extended by one more hour.

Mr. Chairman: That is a different matter. That can be fixed subsequently. Let us fix the time-limit for each

[Mr. Chairman]

hon. Member now. It can be ten to 15 minutes each. If the House agrees to my suggestion, many hon. Members may find time to take part in the discussion.

Shri Tangamani (Madurai): When the matter was discussed in the Business Advisory Committee meeting, the Speaker was pleased to say that the time of three hours may be extended to four hours.

Mr. Chairman: That is a different matter. I will consider it subsequently when we finish the allotted time. At the moment, let us fix the time for each hon. Member. It will be ten to 15 minutes each. So far as the hon. Member who is on his legs is concerned, he has already taken about 20 minutes. He may finish soon.

Shri H. N. Mukerjee: Thank you, Sir. I was going to finish. I feel that the officers are sent out perhaps too often abroad, and sometimes officers nearing superannuation are sent out and their reports would probably be not very particularly useful. I believe that if the University Grants Commission sets its own house in order, then it can assert its moral authority and then alone it can see that the advancement of learning and the advancement of our country's interest can go hand in hand together.

Shri D. C. Sharma (Gurdaspur): Sir, I am glad that we are having an opportunity to discuss the report of the University Grants Commission for the year 1958-59. In this report, the University Grants Commission has made a statement that their efforts have been very much appreciated and that their efforts have brought about "a noticeable change in the attitudes and outlooks of the people concerned." To state it very mildly, this is at variance with what the hon. Minister has just now described. He thought that the changes to be brought about in the field of education cannot be sudden. It takes many, many years for changes to take place. But here is the University Grants Commission saying that they have been able to bring about a change in the outlooks and attitudes of the people concerned in a very short time. I want to ask myself what is the noticeable change in the attitudes and outlooks of the people concerned to which the University Grants Commission refers?

An Hon. Member: On what page?

Shri D. C. Sharma: Page 33.

I think the University Grants Commission has done one good thing and it is this. It has doled out money—I don't say plentifully, but reasonable amount—to many institutions. It has been a good God Mother. It has been a kind of *Kamadhenu*, the cow of plenty. It has tried to help universities and colleges. I think the universities are always there to be helped by the States and by private donations. For example, the Banaras University is a monument of private philanthropy. The Calcutta University is also in some ways a standing example of private benefaction. But I think that the private colleges are not always looked after so well, as they should be.

I submit that the University Grants Commission, by amending a rule, has done well in bringing the private colleges within the orbit of its operation. I congratulate the UGC for that good work. It has paid some money for raising the salaries of the college teachers. But I find a strange anomaly in this. While the salaries of private college teachers have improved in some States on account of the money given by the U.G.C., their salaries have remained the same in the Government colleges. Here is an instance of a noticeable change that while the private colleges have been more responsive in some States to the call made by the U.G.C. for upgrading the salaries of the college teachers, the Governments of certain States have taken no step to raise the salaries of the teachers working in the

Government colleges. "Physician, heal thyself!" I would say to the Government and the Education Ministry here as to the Education Ministry in the different States of India that they should heal themselves. They should set a good example for the private colleges and they should not be found lagging behind the private colleges, so far as increase in salaries of college teachers are concerned. I think this is the most urgent problem of the day.

We must have the right kind of personnel in our colleges and universities. We must have teachers with the requisite qualifications in our colleges and universities. But what do we find? Some young man joins a college and I meet him after two years. I ask him, "Where are you?" He says, "I am in the I.A.S. or I.P.S or in the income-tax service". Why does this happen? I think the UGC has to tackle this problem rationally, scientifically and financially and they should see that the best talent of our country does not shun education as we shun our poor unfortunate relations. They should see that the best talent of our country comes into education and once it has come into education, it is induced to stay there.

Pandit J. P. Jyotishi (Sagar): They should not enter politics.

Shri D. C. Sharma: I think you and I are symbols of the same category. We have run away and I think we did well in running away.

I was submitting respectfully that the UGC should devise ways and methods, so that the teaching profession is made as attractive for our young men and women in our country as any all-India administrative service or any other service.

I have seen this chapter "Schemes for the Welfare of Students". I think so far as schemes for the welfare of students go, the U.G.C. has not acted very imaginatively. It has not felt the pulse of the student community of our country. It has not tried to understand their needs, their hopes and aspirations. I know they have been able to establish some health centres. Health is very necessary; there is no doubt about it. They are also in favour of establishing some hobby workshps. I do not know much about hobby workshops, but the word 'hobby' is fairly respectable and I think they must be fairly good establishments.

They have also done a few other things. They have instituted the Students' Aid Funds. The UGC has appointed so many committees—examination committee, religious education review committee etc. I would respectfully submit that the UGC should appoint a committee to study in detail and exhaustively the case for students' welfare. Students' welfare can be undertaken at college level, university level, provincial level, and it can also be undertaken by the Central Government and the University Grants Commission. I, therefore, think that this item in the U.G.C.'s report should have received much more attention than it has received. I am very happy that the Students' Aid Fund is there, but I must very respectfully submit that it is not utilised very much, because this requires a matching grant. Moreover, the Students' Aid Fund is not as abundant as it should be. To put it very mildly, I think it is very meagre. So, I would submit very respectfully that the U.G.C. should amplify its schemes for the good of our students.

Another point is that education should be made a concurrent subject. Education should not be merely the prerogative of the States. Why do we have the University Grants Commission? I agree with the report that it has done some good. But what is happening so far as our elementary education is concerned? What is happening so far as our secondary education is concerned? Our elementary education is a wilderness. Our secondary education is a chaotic jungle. Somewhere you have higher secondary classes, somewhere you have matriculation courses, somewhere you have this or that. In primary educa-

[Shri D. C. Sharma]

tion, somewhere it is for five years, somewhere it is for six years and so on and so forth. Why is that happening? I tell you, I am much more concerned about elementary education than even about the university education. What is happening there and why is it happening like this? It is happening because each State goes its own way and the poor teachers are not paid adequately. What are the emoluments of primary school and secondary school teachers? What I am saying is that if we have a cmmission for elementary schools and another commission for secndary schools I am sure the lot of primary school and secondary school teachers will improve and the standard of instruction of those institutions will also improve. I am sure also that India would become a better place for students and teachers, so far as this is concerned. Therefore, my feeling is that we should see to it that instead of having elementary education council of an advisory kind, secondary council of an advisory kind, we should have something comparable to this. Our constitutional *pundits* should sit together and find a way out of this difficulty so that our education in this country will improve all along the line.

I am very glad that the Commission is devoting some attention to science and technical education. I am very happy that it has not neglected Humanities. I think on the whole its approach is very balanced, so far as the standard of education is concerned but I would like that it should concentrate its attention more on the welfare of students than it has done so far.

Shri Harish Chandra Mathur (Pali): I am afraid I will not be able to show even that much tolerance and reconciliation on the working of the University Grants Commission, as my friends, the two previous speakers have done. We have got in our hands and we are discussing the report for the period April 1958 to March 1959. This report of the University Grants Commission was published in 1960. We are discussing almost out-worn facts. So much has happened since this report has been published, so many things of far reaching significance have taken place regarding university education. I wish the University Grants Commission should have submitted this report in September 1959 and we should have discussed this much earlier, and at this time we should have been discussing the report for 1959-60.

Dr. K. L. Shrimali: I should like to inform my friend that this report was before this House earlier but could not be discussed on account of lack of time.

Shri Harish Chandra Mathur: I wish to point out that this report itself was published in 1960. What about the report for 1959-60? That has not yet been published. That is my grievance. The report for 1959-60, period ending 31st March 1960, should be published at the latest by the month of June and it should be in our hands and we should discuss that. Since then the University Grants Commission have set up some committees and, as a matter of fact, some of them have submitted their reports. We are discussing them in the consultative committee and here in the House we are discussing certain worn-out facts and certain old events. I think a sense of urgency must be injected into the working of the University Grants Commission, certainly.

Shri Braj Raj Singh: In the Ministry too.

Shri Harish Chandra Mathur: That is all I would say on this particular point.

As I open the first page I find the names of the members of the University Grants Commission.

They are, without doubt, very respectable people. They are people who are held in high regard in the country. There are many of them who I personally know and whom I hold in high esteem. But I wish you to note

that there is not one non-official who is below the age of 60.

Shri D. C. Sharma: What?

Shri Harish Chandra Mathur: My hon. friend, Shri Sharma, is shocked.

Shri D. C. Sharma: No, no. I am not.

Shri Harish Chandra Mathur: I definitely feel that the entire University Grants Commission should be reconstituted. You must have at least 50 per cent of the members who are between the ages of 45 and 55 or at the most between the ages of 50 and 60. You must have at least 50 per cent of such people.

Dr. K. L. Shrimali: Which age group?

Shri Harish Chandra Mathur: Age group 45-60 or 45-55, I would say. I think my hon. friend has no use for any advice which comes from people who are below the age of 60. Let us take note of what is happening all over the world. America can have a President who is of the age of 43. Ceylon can have a Prime Minister who is of a much younger age.

Pandit K. C. Sharma (Hapur): And a woman too!

Shri Harish Chandra Mathur: If you look at the age of the Cabinet in the U.K., you will find that there are many people who are in the age group of 45-55. But here we have developed a sort of indispensability for everyone. Of course, they are nice people. They are very good people. But they have certainly outlived their utility in a particular respect. We want the ripe experience of a few people there, but we must have a certain number of younger people who know the urges and the aspirations of the people of this country and of the student tribe in particular. Their entire outlook will be different. Can you not in this country of 40 crores of people produce such people who could at the age of 40 shine? Russia has produced many generals who could be given much bigger charge at the age of 40. The man who is commanding an international organisation there is between the ages of 50 and 55. But here we will accept nobody who is below the age of 60. That is the most unfortunate thing, more particularly when you are looking to the youths' organisations. I do not rule out people of higher age groups.

Shri Braj Raj Singh: Could I ask a question of my hon. friend, Shri Mathur? What profession will he suggest for people who are over 60 years of age? They shall get unemployed.

Shri Harish Chandra Mathur: I am not ruling them out. So please do not bother.

Pandit K. C. Sharma: They will go to religious monasteries.

Shri Harish Chandra Mathur: But I certainly say that possibly now is the time for that. I started by saying that I have very great respect for them. But I wish that when my hon. friend thinks of reconstituting the University Grants Commission he must think of appointing a new Chairman and of doing everything else. I hope he will bear this in mind when he reconstitutes the University Grants Commission or when he makes fresh appointments to it.

The first item the University Grants Commission has dealt with in this report is the number of the universities and how the universities are being set up in this country. Unfortunately, what I feel is that the hon. Prime Minister thinks in a very different way. He has said that we do not want more universities and this and that. The University Grants Commission thinks in a different way. The State Governments think in a different way. There has been a completely lopsided development in the entire country. Now I understand that Bihar has set up a university for each division. So they may have five universities. Rajasthan has got only one university.

Shri Thirumala Rao (Kakinada): Probably they are Hindi universities.

Shri Harish Chandra Mathur: Whether they are Hindi or English they are universities all the same. I think we should be able to sit together and decide upon the line of action. There should not be that allergy against a larger number of universities. We must lay down certain standards and certain criteria which are only necessary. I do not also want the University Grants Commission to be consulted at every stage. I am not at all in favour of these things. This sort of thing has already gone too far. If you go and examine the working of the University Grants Commission, you will find that it is degenerating itself into a sort of a department. It is already doing so. It is just functioning as if it is one branch of the Finance Ministry whose entire job it is to see how much to pay, whom to pay and what to pay. This could be done by one of our Joint Secretaries.

An Hon. Member: A Deputy Secretary could have done it.

Shri Harish Chandra Mathur: I was simply surprised to find that one of the affiliated college's Principal is getting a grant. That affiliated college is getting a grant. If they have to have two peons, the matter must go to the University Grants Commission. Will you believe it? It is almost degenerating itself into one branch of the Finance Ministry. I do not wish that the University Grants Commission should go to that level.

The University Grants Commission has got a much more important function to perform. Even about the setting up of universities, the University Grants Commission has made a complaint that they are not consulted. I do not think it should be necessary for the State Governments to consult them. The University Grants Commission, in consultation with the universities and with the Ministry of the Central Government, should lay down certain norms, standards and principles. They should say, "these are necessary. and the University Grants Commission would be forthcoming to give assistance if newly established universities fulfil these conditions". It should rather try to help and give a direction that there is not that sort of lop-sided development.

17-00 hrs.

And on the part of the Government the Prime Minister and the Education Minister may discuss it among themselves and come to certain conclusions in the matter, and they must give a correct lead to the country, instead of speaking at divergence. Now, I will not take much time over this, because there are many points raised while dealing with the setting up of new universities, what type of universities they will be and so on. It will take a long time.

Shri N. R. Muniswamy: Are we sitting beyond five o'clock?

Mr. Chairman: I am adjourning the House at five. Has the hon. Member finished?

Shri Harish Chandra Mathur: No, I have finished only two points. I have three more points to urge very strongly.

Mr. Chairman: He may continue his speech tomorrow. The House now stands adjourned till 11 A.M. tomorrow.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 12th August, 1960|Sravana 21, 1882 (Saka).

[*Thursday, August* 11, 1960/*Sravana* 20, 1882(*Saka*)]

ORAL ANSWERS TO QUESTIONS . . . 2027—66

S.Q. No.	Subject	Columns
317	Loans for construction of hostels	2027—33
318	Central Institute of Education	2033—35
319	Criteria for determining Backward Classes	2035—40
320	Educational facilities for children of Armed Forces personnel	2040—44
321	Madras Land Reforms Bill	2045—47
323	Silver Refinery at Calcutta	2048
324	Russian crude oil	2048—52
325	Anti-Submarine Aircraft	2052
326	Oil Prospecting	2053—56
327	American aid	2056—57
329	Beggary	2058—61

S.N.Q.

No.		
2	Infringement of Foreign Exchange Regulations	2061—66

WRITTEN ANSWERS TO QUESTIONS . . 2066—2122

S.Q. No.		
322	Small-scale Steel production	2066–67
328	Government's guarantee for repayment of loans	2067–68
330	Vi'nan Mandirs	2068
331	Participation of students in political demonstrations	2068
332	1961 Census	2069
333	Manufacture of AVRO 748	2069
334	Petrol rationing in Assam	2069–70
335	Durgapur Steel Plant	2070
336	Banaras Hindu University	2070–71
337	Economy in construction work	2071–72
338	Central Social Welfare Board	2072
339	Second Language Commission	2072–73

WRITTEN ANSWERS TO QUESTIONS—*contd.*

S.Q. No.	Subject	Columns
340	Manufacture of Helicopters	2073
341	Ordnance Factory, Khamaria	2073–74
342	Recruitment of Scientific and Technical Personnel	2074
343	Oil in Cauvery Basin	2074–75
344	Training of civilians in Defence Establishments	2075
345	Supply of metallurgical coal	2076
346	TISCO and IISCO	2076
347	Over-crowding in colleges and universities	2077
348	Stainless steel	2077
349	Central Food Technological Research Institute, Mysore	2077–78

U.S.Q.

No.		
566	Defence College, New Delhi	2078–79
567	Aid to Shri Udai Shankar	2079
568	Scientific Research in Universities	2079
569	Grant of Pardons and Remissions to convicts	2079–80
570	Houses for S. C. and S. T. in Bombay	2080
571	Commissioner for Scheduled Castes and Scheduled Tribes	2080
572	Repayment of loan to I.B.R.D.	2081
573	Credit facilities to India	2081–82
574	Allocation of profit by L.I.C.	2082–83
575	History of Freedom Movement	2083
576	Income-tax arrears in Punjab	2083
577	Council of Scientific and Industrial Research	2084
578	Wind Mills	2084
579	Opium cultivation	2084–85
580	Recommendations of Pay Commission	2085
581	Jails at Bilaspur and Nahan	2085–86

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
582	Research on Secondary Education	2086
583	All India Council for Secondary Education	2087—89
584	National Cadet Corps	2089—90
585	Hindi Shorthand	2090
586	Post-Matric Scholarships to S. C. & S. T. students in Orissa	2091
587	Foreign economic assistance for India	2091
588	Iron ore reserves	2092
589	Grants to Utkal University	2092
590	Agricultural colonies for S. C. and S. T. in Orissa	2092–93
591	Separation of Judiciary from Executive	2093–94
592	Centre for the deaf in Delhi Polytechnic	2094
593	Petroleum exploration	2095
594	Reorganisation of Development Department, Delhi	2095
595	Underground fire in Coal mines	2096–97
596	Promotion of Sanskrit studies	2097
597	Iron and steel requirements of Madras	2097–98
598	National Metallurgical Laboratory	2098
599	Zoological survey of India	2098–99
600	Manufacture of Motor cycles	2099
601	Ramagiri Gold Mines	2099—2100
602	Traces of ancient civilisation in Bihar	2100–01
603	Displaced persons in Tripura	2101
604	Steel production at Rourkela	2102
605	Regional College of Technology at Rourkela	2102
606	Death of refugee hunger-striker in Agartala	2103–04
607	Welfare of Backward Classes	2104–05
608	Housing problem of Gadia Lohars in Rajasthan	2105–06
609	Court of Enquiry *re* Nagda Accident	2106—08
610	Educational facilities to children of political sufferers	2108
611	Welfare of Backward Classes in Orissa	2108–09
612	Seizure of gold	2109
613	'Shaktiman' trucks	2109
614	Indo-Japanese pact on avoidance of double taxation	2110
615	Technical education in Punjab	2110–11
616	Gold smuggling	2111
617	Foreign coaches for sports	2111–12
618	New township at Bilaspur	2112–13
619	Teaching in Polytechnics	2113
620	Violation of foreign exchange rules	2113–14
621	Water for Old Mint, Calcutta	2114
622	Increase in excise duty on diesel oil	2114–15
623	Mountain warfare	2115
624	Literacy survey	2115–16
625	Legal assistance to S.C. and S.T. in Orissa	2116
626	Loans due from State Governments	2116–17
627	Pig iron billets in Bhilai	2117
628	L.I.C. policies	2117–18
629	Mid-day meals for students	2118
630	Tamarind purchase incident in Andhra Pradesh	2118–19
631	Import licences to Bombay firms	2119
632	Harijan welfare	2119–20
633	Government officials' relations in private firms	2120
634	Sepoy's ration	2120–21
635	Pig iron allotment to Kerala	2121
636	Tobacco cultivation	2121–22
637	Service personnel in N.E.F.A.	2122

COLUMNS

MOTION FOR ADJOURNMENT . . . . 212—26

The Speaker withheld his consent to the moving of an adjournment motion given notice of by Shri Braj Raj Singh regarding outbreak of tetanus in Delhi.

RESIGNATION OF MEMBER 2126

The Speaker informed Lok Sabha that Shri Mathuradass Mathur had resigned his seat in Lok Sabha with effect from the 11th August, 1960.

PAPERS LAID ON THE TABLE . . . . 2126—30

(1) A copy of the Post Office Savings Certificates Rules, 1960, published in Notification No. G.S.R. 711 dated the 25th June, 1960 under sub-section (3) of Section 12 of the Government Savings Certificates Act, 1959.

(2) A copy of the Post Office Savings Banks (Nomination) Rules, 1960, published in Notification No. G.S.R. 730 dated the 2nd July, 1960, under sub-section (3) of Section 15 of the Government Savings Banks Act, 1873.

(3) A copy of each of the following Notifications under sub-section (3) of Section 28 of the Public Debt Act, 1944:—

(*a*) G.S.R. 846 dated the 30th July, 1960 making certain amendments to the Public Debt (Annuity Certificates) Rules, 1954.

(*b*) G.S.R. 847 dated the 30th July, 1960 making certain amendments to the Public Debt (Annuity Certificates) Rules, 1954.

(4) A copy of the Annual Report (Parts I and II) of the Registrar of Newspapers for India for the year 1960.

(5) A copy of each of the following Notifications under sub-section (2) of Section 3 of the All-India Services Act, 1951:—

(*i*) G.S.R. 833 dated the 30th July, 1960 making certain amendment to the All India Services (Discipline and Appeal) Rules, 1955.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(*ii*) G.S.R. 835 dated the 30th July, 1960.

(*iii*) G.S.R. 836 dated the 30th July, 1960 making certain further amendments to the Indian Police Service (Recruitment) Rules, 1954.

(*iv*) G.S.R. 837 dated the 30th July, 1960 making certain further amendment to the Indian Police Service (Pay) Rules, 1954.

(*v*) G.S.R. 838 dated the 30th July, 1960 making certain further amendment to the Indian Police Service (Regulation of Seniority) Rules, 1954.

(*vi*) G.S.R. 839 dated the 30th July, 1960 making certain amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.

(*vii*) G.S.R. 840 dated the 30th July, 1960 making certain amendment to Schedule III to the Indian Police Service (Pay) Rules, 1954.

(*viii*) G.S.R. 842 dated the 30th July, 1960 making certain amendment to Schedule III to the Indian Administrative Service (Pay) Rules, 1954.

(*ix*) G.S.R. 843 dated the 30th July, 1960 making certain further amendment to the All-India Services (Death-*cum*-Retirement Benefits) Rules, 1958.

(6) A copy of the Madhya Bharat Bhoodan Yagna Board (Reconstitution) Order, 1960, published in Notification No. G.S.R. 762 dated the 9th July, 1960, under sub-section (5) of Section 4 of the Inter-State Corporations Act, 1957.

(7) A copy of Notification No. S. O. 1849 dated the 30th July, 1960 under sub-section (3) of Section 85 of the Estate Duty Act, 1953.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(8) A copy of each of the following Notifications under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955, making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956 :—

(*a*) G.S.R. 820 dated the 23rd July, 1960.

(*b*) G.S.R. 848 dated the 30th July, 1960.

(9) A copy of each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960 :—

(*a*) G.S.R. 849 dated the 30th July, 1960.

(*b*) G.S.R. 852 dated the 30th July, 1960.

(10) A copy of Notification No. G.S.R. 855 dated the 30th July, 1960, under Sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the central Excises and Salt Act, 1944.

COLUMNS

STATEMENT BY MINISTER 2130—32

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas) laid on the Table a statement on the prevalence of famine conditions in Darbhanga and Muzaffarpur districts of Bihar.

BILLS PASSED . . 2132—2234

(1) Further discussion on the motion to consider the Taxation Laws (Amendment) Bill continued. The motion was adopted. After clause-by-clause consideration the Bill was passed as amended.

(2) The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved for the consideration of the Banking Companies (Amendment) Bill. The motion was adopted. After clause-by-clause consideration the Bill was passed.

MOTION *RE.* REPORT OF UNIVERSITY GRANTS COMMISSION . . 2235—58

Further discussion on the motion *re.* Report of the University Grants Commission continued. The discussion was not concluded.

AGENDA FOR FRIDAY, AUGUST 12, 1960/SRAVANA 21, 1882 (*SAKA*)—

Further discussion on the motion *re.* Report of University Grants Commission and consideration of Private Members' Bills.

GMGIPND—LSII—734(Ai)LS—20-8-60—950